

STEWART TITLE

FILE# 806014502

SPECIAL WARRANTY DEED

Recorded Electronically	
ID	<u>2011034435</u>
County	<u>Bernalillo</u>
Date	<u>4/11/11</u> Time <u>9:12</u>
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Mesa-Towncenter Building #1, LLC, a New Mexico limited liability company, for consideration paid, grants to The Regents of the University of New Mexico, a body corporate of the State of New Mexico, whose address is 2811 Campus Boulevard, NE, MSC 06 3595, Albuquerque, New Mexico, 87106, the following described real estate in Bernalillo County, New Mexico:

Unit B of Mesa del Sol Towncenter Building 1 Condominium, as such Unit is designated in the Condominium Declaration for Mesa del Sol Towncenter Building 1 Condominium, recorded January 7, 2011, as Doc. No. 2011002508 (the "Condominium Declaration"), and as such Unit is shown and designated on the Condominium Plats and Plans for Mesa del Sol Towncenter Building 1 Condominium, recorded January 6, 2011, as Doc. No. 2011002006, records of Bernalillo County, New Mexico (the "Condominium Plat"). Mesa del Sol Towncenter Building 1 Condominium is located within the exterior boundaries of Tract numbered Twenty-three-B (23-B), of Mesa del Sol Innovation Park, (a Replat of Tract 23, Mesa del Sol Innovation Park), Albuquerque, Bernalillo County, New Mexico, as the same is shown and designated on the plat thereof, filed in the office of the County Clerk of Bernalillo County, New Mexico, on January 16, 2009, in Plat Book 2009C, Page 14, as Doc. No. 2009004957

Together with an undivided interest in all common elements except as otherwise limited or provided for in the Condominium Declaration, and as shown and designated on the Condominium Plat.

with special warranty covenants.

Subject to the following:

1. Reservations and exceptions in the Patent by the State of New Mexico, recorded October 9, 1986, in Book D 284-A, Page 68, as Doc. No. 86-97929, records of Bernalillo County, New Mexico.
2. The Condominium Declaration and the Condominium Plat.
3. Easements reserved within the premises, as shown on the recorded plat, recorded in Plat Book 2007C, Page 259, as Doc. No. 2007131551, records of Bernalillo County, New Mexico.
4. Public Service Company of New Mexico Easement Electric, granted to The Mountain States Telephone and Telegraph Company, a Colorado Corporation,

recorded May 16, 2008, as Doc. No. 2008055725, records of Bernalillo County New Mexico.

5. Stipulated Partial Judgment recorded April 7, 1998, in Book 9808, Page 518, as Doc. No. 1998042037, records of Bernalillo County, New Mexico.

6. Level A Development Agreement by and between Forest City Covington NM LLC, a Nevada limited liability company, and the City of Albuquerque, a New Mexico municipal corporation, recorded March 21, 2006, in Book A113, Page 9604, as Doc. No. 2006039738, records of Bernalillo County, New Mexico.

7. Notice of Airport Impacts and Covenant Not to Sue recorded July 7, 2006, in Book A120, Page 642, as Doc. No. 2006100926, records of Bernalillo County, New Mexico.

8. Easement Agreement by and between the State of New Mexico, acting through its Commissioner of Public Land and Forest City Covington, NM, LLC, a New Mexico limited liability company, and the University of New Mexico, a constitutionally created institution of the State of New Mexico, dated June 20, 2006, recorded June 21, 2006, in Book A119, Page 1052, as Doc. No. 2006091310, and Partial Release of and Amendment to Easement Agreement, recorded February 26, 2008, as Doc. No. 2008020973, records of Bernalillo County, New Mexico.

9. Mesa del Sol Tax Increment Development Districts Notice of Formation Resolution dated December 28, 2006, recorded December 28, 2006, in Book A129, Page 4126, as Doc. No. 2006194654, and First Amendment recorded March 30, 2010, as Doc. No. 2010-026776, records of Bernalillo County, New Mexico.

10. Level B Development Agreement by and between Mesa del Sol, LLC, a New Mexico limited liability company, and the City of Albuquerque, a New Mexico municipal corporation, recorded December 3, 2007, as Doc. No. 2007163468, records of Bernalillo County, New Mexico.

11. Amended and Restated Parking Easement Agreement by Mesa del Sol, LLC, a New Mexico limited liability company, recorded January 7, 2011, as Doc. No. 2011002506, records of Bernalillo County, New Mexico.

12. Streetscape Gift and Free Work Agreement by and between the City of Albuquerque, a New Mexico municipal corporation and Mesa del Sol, LLC, a New Mexico limited liability company, dated March 8, 2008, recorded May 19, 2008, as Doc. No. 2008056354, records of Bernalillo County, New Mexico.

13. Master Development Agreement Mesa del Sol Tax Increment Development Districts 1 through 5, recorded June 19, 2008, as Doc. No. 2008070059, records of Bernalillo County, New Mexico.

14. Agreement and Covenant, by and between the City of Albuquerque, New Mexico, and Mesa del Sol, LLC, a New Mexico limited liability company, recorded June 25, 2008, as Doc. No. 2008071872, records of Bernalillo County, New Mexico.

15. Conditions of title affecting the premises as contained in the notes in the recorded plats, recorded June 22, 2006, in Plat Book 2006C, Page 197; recorded April 17, 2007, in Plat Book 2007C, Page 96, as Doc. No. 2007056330; recorded September 13, 2007, in Plat Book 2007C, Page 259, as Doc. No. 2007131551, records of Bernalillo County, New Mexico.

16. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and other immunities relating thereto.

17. Mesa del Sol Public Improvement Districts 1-5 Notice of Formation Resolution, General Plans, supplemental PID 1 General Plan, Master Development Agreement for PIDS 1-5, Supplemental PID 1 Development Agreement, Rate and Method of Apportionment for PIDS 1-5, and Adjusted PID 1 Rate and Method of Apportionment, recorded April 13, 2009, as Doc. No. 2009038714, records of Bernalillo County, New Mexico.

18. Mesa del Sol Master Sidewalk Agreement by and between Mesa del Sol, LLC, a New Mexico limited liability company, and Mesa Towncenter Building #1 LLC, a New Mexico limited liability company, dated July 8, 2009, recorded July 9, 2009, as Doc. No. 2009077024, records of Bernalillo County, New Mexico.

19. Declaration of Covenants and Restrictions for Mesa del Sol Relating to Pacifica Property recorded July 7, 2006, in Book A120, Page 640, as Doc. No. 2006100924; Agreement Regarding Amendment recorded February 12, 2008, as Doc. No. 2008016369; Second Amendment to Declaration of Covenants and Restrictions for Mesa del Sol Relating to Pacifica Property recorded January 7, 2011, as Doc. No. 2011002507, records of Bernalillo County, New Mexico; and Partial Summary Judgment recorded May 3, 2010 as Doc. No. 2010037487 and Partial Summary Judgment recorded May 3, 2010 as Doc. No. 2010037488.

20. Declaration of Covenants, Conditions and Restrictions for Mesa del Sol recorded December 28, 2010, as Doc. No. 2010132684.

21. Taxes for the current year and thereafter.

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WITNESS its hand and seal this 6th day of January, 2011.

Mesa-Towncenter Building #1, LLC, a
New Mexico limited liability company

By: FC Covington Towncenter Building 1 Manager, LLC, a
New Mexico limited liability company, Member

By: Forest City NM, LLC, a
New Mexico limited liability company, Member

By: Forest City Commercial Group, Inc., an
Ohio corporation, Member

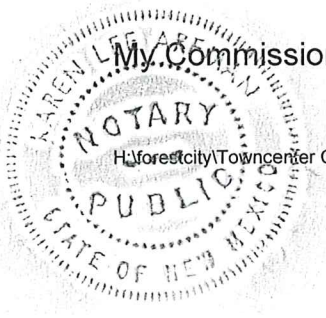
By: _____
Michael D. Daly
Vice President

STATE OF NEW MEXICO)
) ss.
COUNTY OF BERNALILLO)

This instrument was acknowledged before me on the 6th day of January, 2011 by Michael D. Daly, Vice President of Forest City Commercial Group, Inc., an Ohio corporation, Member of Forest City NM, LLC, a New Mexico limited liability company, Member of FC Covington Towncenter Building 1 Manager, LLC, a New Mexico limited liability company, Member of Mesa-Towncenter Building #1, LLC, a New Mexico limited liability company.

Karen Lee Anderson
Notary Public

My Commission Expires: 11-18-2013



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