

Stewart Title Guaranty Company
COMMITMENT FOR TITLE INSURANCE

SCHEDULE A

File Number: 8060445	Inquiries should be directed to:	Stewart Title of Albuquerque, L.L.C. 6759 Academy Road NE Albuquerque, New Mexico 87109
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1. Effective Date: 4/6/2011 at 8:00 a.m.
2. Policy or Policies to be issued:
 - (a) ALTA Owner's Policy – (6/17/06) Amount \$10,214,050.91
Proposed Insured: The Regents of the University of New Mexico
 - (b) ALTA Loan Policy – (6/17/06) Amount
Proposed Insured:
 - (c) Amount
Proposed Insured:
3. The estate or interest in the land described or referred to in this Commitment is
Fee Simple
4. Title to the Fee Simple estate or interest in the land is at the Effective Date vested in:
Mesa-Towncenter Building #1, LLC, a New Mexico limited liability company
5. The land referred to in the Commitment is described as follows:

Unit lettered "B", of Mesa Del Sol Towncenter Building 1 Condominium, as such Unit(s) are designated in the Declaration of Mesa Del Sol Towncenter Building 1 Condominium, recorded January 7, 2011, as Doc. No. 2011-002508, and as such Unit(s) are shown and designated on the Condominium Plats and Plans of Mesa Del Sol Towncenter Building 1 Condominium, recorded January 6, 2011, as Doc. No. 2011-002006, records of Bernalillo County, New Mexico. 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,

NM 6: ALTA Commitment (6/17/06)

This commitment is invalid unless the Insuring Provisions and Schedules A and B are attached.

Schedule A consists of 2 page(s)

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SCHEDULE A

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. 2009-004957.

Together with an undivided interest in all common elements except as otherwise limited or provided for in the Declaration of Mesa Del Sol Towncenter Building 1 Condominium, recorded January 7, 2011, as Doc. No. 2011-002508, and as shown and designated on the Condominium Survey, of Condominium Plats and Plans of Mesa Del Sol Towncenter Building 1 Condominium, recorded January 6, 2011, as Doc. No. 2011-002006, records of Bernalillo County, New Mexico.

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Schedule A consists of 2 page(s)

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SCHEDULE B - SECTION I
REQUIREMENTS

The following are the requirements to be complied with:

1. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
2. Payment of all taxes, charges, assessments, levied and assessed against subject premises, which are due and payable.
3. Satisfactory evidence should be had that improvements and/or repairs or alterations thereto are completed; that contractor, subcontractors, labor and materialmen are all paid.
4. Instruments necessary to create the estate or interest to be insured must be properly executed, delivered and duly filed for record, to wit:
 - a. Execution and recordation of Special Warranty Deed from Mesa-Towncenter Building #1, LLC, a New Mexico limited liability company, to The Regents of the University of New Mexico.
5. Provide this Company with official identification of all parties involved in this transaction before or at closing.
6. Payment of Taxes for the second half of 2010.
7. Partial Release of Construction Mortgage executed by Mesa-Towncenter Building #1, LLC, a New Mexico limited liability company, payable to Charter Bank, dated April 11, 2008, recorded April 14, 2008, as Doc. No. 2008041765, and re-recorded April 17 2008, as Doc. No. 2008043616, and re-recorded June 24, 2008, as Doc. No. 2008071384, and modified by Modification of Mortgage, recorded November 10, 2009, as Doc. No. 2009-124457, and Loan Modification Agreement, recorded March 31, 2011, as Doc. No. 2011-031025, records of Bernalillo County, New Mexico, securing the original principal amount of \$12,000,000.00, and assigned to Charter Bank.
8. Partial Release of Assignment of Rents, executed by Mesa-Towncenter Building #1, LLC, a New Mexico limited liability company, and Charter Bank, dated April 11, 2008. recorded April 14, 2008, as Doc. No. 2008041766, and re-recorded April 17, 2008, as Doc. No. 2008043617, records of Bernalillo County, New Mexico, and assigned to Charter Bank.
9. Supply proof that any and all assessments levied by the Mesa Del Sol Employment Center Owners Association have been paid.
10. Supply proof that any and all assessments levied by Community Company Association have been paid.
11. Supply proof that any and all assessments levied by Mesa Del Sol Towncenter Building 1 Association have been paid.

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Commitment No.: 8060445

This commitment is invalid unless the Insuring Provisions and Schedules A and B-Section II are attached.

Schedule B-Section I consists of 2 page(s)

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SCHEDULE B - SECTION I
REQUIREMENTS

12. Provide this Company with copies of the Articles of Organization and any Operating Agreement(s) for Mesa-Towncenter Building #1, LLC, a New Mexico limited liability company. NOTE: Stewart Title of Albuquerque, LLC reserves the right to make further requirements upon review of the above.
13. Provide this Company with a certified copy of Corporation Resolution of The Regents of the University of New Mexico, authorizing the execution and delivery of required documentation and further naming the person(s) authorized to execute the above on behalf of said Corporation. NOTE: Stewart Title of Albuquerque, LLC reserves the right to make further requirements upon review of the above.
14. NOTE: Underwriter approval is required on this transaction. Additional requirements and/or exceptions may be made at the direction of Stewart Title Guaranty Company.

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Commitment No.: 8060445

This commitment is invalid unless the Insuring Provisions and Schedules A and B-Section II are attached.

Schedule B-Section I consists of 2 page(s)

Stewart Title Guaranty Company
COMMITMENT FOR TITLE INSURANCE
SCHEDULE B – SECTION II
EXCEPTIONS

Standard Exceptions 1, 2, 3, and or 4, may be deleted from any policy upon compliance with all provisions of the applicable rules, upon payment of all additional premiums required by the applicable rules, upon receipt of the required documents and upon compliance with the Company's underwriting standards for each such deletion. Standard Exception 5 may be deleted from the policy if the named insured in the case of an Owner's Policy, or the vestee, in the case of a Leasehold or Loan Policy, is a corporation, a partnership, or other artificial entity, or a person holding title as trustee. Except for the issuance of a U. S. policy form (NM7 or NM34), any policy to be issued pursuant to this commitment will be endorsed or modified in Schedule B by the Company to waive its right to demand arbitration pursuant to the conditions and stipulations of the policy at no cost or charge to the insured. The endorsement or the language added to Schedule B of this policy shall read: "In compliance with Subsection D of 13.14.18.10 NMAC, the company hereby waives its right to demand arbitration pursuant to the title insurance arbitration rules of the American Land Title Association. Nothing herein prohibits the arbitration of all arbitrable matters when agreed to by both the company and the insured."

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

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Encroachments, overlaps, conflicts in boundary lines, shortages in area, or other matters which would be disclosed by an accurate survey and inspection of the premises.
4. Any lien, claim or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Community property, survivorship, or homestead rights, if any, of any spouse of the insured (or vestee in a leasehold or loan policy)
6. [Reserved]
7. "Water rights, claims or title to water".
8. [Reserved]
9. Taxes for the year 2011 and thereafter.
10. 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.

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SCHEDULE B – SECTION II
EXCEPTIONS

11. 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.
12. Intentionally omitted.
13. Intentionally omitted.
14. Intentionally omitted.
15. Terms and provision of the CONDOMINIUM ACT 47-7a-1 et. seq. N.M.S.A., and Declaration of Mesa Del Sol Towncenter Building 1 Condominium, recorded January 7, 2011, as Doc. No. 2011-002508, and as such Unit(s) are shown and designated on the Condominium Plats and Plans of Mesa Del Sol Towncenter Building 1 Condominium, recorded January 6, 2011, as Doc. No. 2011-002006 records of Bernalillo County, New Mexico.
16. Covenants, conditions, restrictions and easements affecting the insured premises, but omitting and covenant, conditions or restrictions, if any, based on race, color, religion, sex, handicap, familial status or national origin unless and only to the extent that the covenant, condition or restriction (a) is exempt under Title 42 of the United States Code, or (b) relates to handicap, but does not discriminate against handicapped persons, as contained in the Declaration of Covenants, Conditions and Restrictions for Mesa Del Sol, recorded December 28, 2010, as Doc. No. 2010-132684, and Second Amendment to Declaration of Covenants and Restrictions, recorded January 7, 2011, as Doc. No. 2011-002507, records of Bernalillo County, New Mexico.
17. Easements, and incidental purposes thereto, reserved within the insured premises, as shown on the recorded plat, recorded in Plat Book 2007C, Page 259, as Doc. No. 2007-131551, and on the Condominium Plats and Plans of Mesa Del Sol Towncenter Building 1 Condominium, recorded January 6, 2011, as Doc. No. 2011-002006, records of Bernalillo County, New Mexico.
18. Public Service Company of New Mexico Easement Electric, and incidental purposes thereto, granted to The Mountain States Telephone and Telegraph Company, a Colorado Corporation, recorded May 16, 2008, as Doc. No. 2008-055725, records of Bernalillo County, New Mexico.
19. Stipulated Partial Judgment recorded April 7, 1998, in Book 9808, Page 518, as Doc. No. 1998-042037, records of Bernalillo County, New Mexico.
20. 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. 2006-039738, records of Bernalillo County, New Mexico.
21. Notice of Airport Impacts and Covenant Not to Sue recorded July 7, 2006, in Book A120, Page 642, as Doc. No. 2006-100926, records of Bernalillo County, New Mexico.

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SCHEDULE B – SECTION II
EXCEPTIONS

22. 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. 2006-091310, and Partial Release of and Amendment to Easement Agreement, recorded February 26, 2008, as Doc. No. 2008-020973, records of Bernalillo County, New Mexico.
23. 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. 2006-194654, and First Amendment recorded March 30, 2010, as Doc. No. 2010-026776, records of Bernalillo County, New Mexico.
24. 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. 2007-163468, records of Bernalillo County, New Mexico.
25. Parking Easement Agreement by Mesa Del Sol, LLC, a New Mexico limited liability company, dated April 10, 2008 recorded April 14, 2008, as Doc. No. 2008-041763, and amended by Amended and Restated Parking Easement Agreement, recorded January 7, 2011, as Doc. No. 2011-002506, records of Bernalillo County, New Mexico.
26. 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. 2008-056354, records of Bernalillo County, New Mexico.
27. Master Development Agreement Mesa Del Sol Tax Increment Development Districts 1 through 5, recorded June 19, 2008, as Doc. No. 2008-070059, records of Bernalillo County, New Mexico.
28. 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. 2008-071872, records of Bernalillo County, New Mexico.
29. Conditions of title affecting the insured 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. 2007-131551, records of Bernalillo County, New Mexico.
30. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and other immunities relating thereto.
31. Rights of parties under any unrecorded Rental and/or Lease Agreements.
32. 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

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EXCEPTIONS

method of Apportionment, recorded April 13, 2009, as Doc. No. 2009-038714, records of Bernalillo County, New Mexico.

33. 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. 2009- 077024, records of Bernalillo County, New Mexico.
34. Articles of Incorporation and By-Laws of the Community Company Association.
35. Articles of Incorporation and By-Laws of the Mesa Del Sol Towncenter Building 1 Association.