

**Bell Road & 94<sup>th</sup> Street RFB  
Exhibit I**

**WHEN RECORDED RETURN TO:**

Real Estate Asset Manager  
City of Scottsdale  
7447 E. Indian School Road, Suite 205  
Scottsdale, AZ 85251

(COS Contract 20\_\_\_\_\_-\_\_\_\_\_-COS)

**SPECIAL WARRANTY DEED WITH COVENANTS AND RESERVATIONS**

City of Scottsdale, an Arizona municipal corporation (“Grantor”) hereby conveys to \_\_\_\_\_, an Arizona \_\_\_\_\_ (“Grantee”) that certain real property (the “Property”) located in Maricopa County, Arizona and more particularly described on **Exhibit “A”** and as depicted on **Exhibit “B”** attached hereto together with all appurtenances as follows:

1. Title Warranties. Grantor binds itself and its successors to warrant and defend the title, as against all acts of Grantor herein and no other, subject to all matters of record and all matters that would be shown by a survey or inspection of the Property.
2. Disclaimer of Environmental and Other Warranties. The Property is conveyed in an “as is” condition, with no warranty, express or implied. Without limitation:

2.1 Grantor makes no warranties as to past, existing or potential costs, needs, opportunities or challenges, obvious or latent, regarding any of the following (all of which together are the “Due Diligence Matters”): liens, encroachments, easements and all other title matters; zoning and building permits clearances, status and other regulatory matters; physical, environmental, safety, contamination and other conditions; economic, physical or other developability or feasibility; construction, maintenance, repair, operation or other work; soil, geology, flooding, earthquake, fire or other hazards; prior, present or future uses or history of the Property or nearby property; taxes, assessments, common area charges or other burdens; insurance, warranties, contracts, plans or other contracts or documents; the requirements, conduct, documents or other aspects of the negotiations and transaction leading to this deed and all other faults or defects of any description about the Property or its environs, information about the Property or its environs; the condition of improvements, the condition of the soil, or

geology, or the presence of known or unknown contaminants or other faults or defects of any description.

2.2 Grantor incorporates herein by reference all of the information contained in Grantor's published solicitation inviting bids for purchase of the Property.

2.3 Grantee has inspected and investigated the Property and its environs and obtained such information and professional advice as Grantee determines to be necessary related to the Due Diligence Matters. Grantee has investigated and determined the suitability of the Property.

2.4 If the Due Diligence Matters are not in all respects entirely suitable for the use or uses to which Grantee now or hereafter plans or desires to put the Property, then it is the Grantee's sole responsibility and obligation to take such action as may be necessary to place the Property in a condition entirely suitable for its development and use.

3. Running with the Land. Grantee's obligations under this document run with the land in favor of Grantor and its successors and assigns and against Grantee and its successors and assigns.

4. Cumulative Provisions. Each of Grantor's rights under provision of this document is cumulative and in addition to any other right that Grantor may have under this document or otherwise.

In Witness Whereof, this document is made this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

GRANTOR: **CITY OF SCOTTSDALE**, a municipal corporation

By: \_\_\_\_\_  
David D. Ortega, Mayor

ATTEST:

\_\_\_\_\_  
Ben Lane, City Clerk

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

\_\_\_\_\_  
Sherry R. Scott, City Attorney  
By: Eric C. Anderson, Senior Assistant City Attorney

STATE OF ARIZONA )  
) ss:  
County of Maricopa )

Acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_, by David D. Ortega, Mayor of the City of Scottsdale, an Arizona municipal corporation.

\_\_\_\_\_  
Notary Public

**Table of Exhibits To Deed**

<u>Exhibit</u>	<u>Paragraph</u>	<u>Description</u>
A	Recital A	Legal Descriptions of the Property
B	Recital A	Depiction of the Property