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RUSSELL SHIRTS & WASHINGTON CO RECORDER
2002 DEC 10 13:13 PM FEE \$16.00 BY LP
FOR: SOUTHERN UTAH TITLE CO

When Recorded, Mail to:

David L. Lansky, Esq.
Mariscal, Weeks, McIntyre & Friedlander, P.A.
2901 N. Central Ave., Suite 200
Phoenix, Arizona 85012

SPECIAL WARRANTY DEED

For the consideration of the sum of Ten Dollars (\$10.00) and other valuable considerations received, PIVOTAL SPA I, L.L.C., an Arizona limited liability company and MARK II STROMBERG (collectively "Grantor"), do hereby convey to PIVOTAL MARK II, L.L.C., an Arizona limited liability company ("Grantee"), all of Grantor's right, title and interest in and to the following described real property (the "Property") situated in Washington County, Utah, together with all improvements thereon and all of Grantor's interest in any rights and privileges appurtenant thereto:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

SUBJECT TO: taxes and assessments which are not yet due or payable; patent reservations; all covenants, conditions, restrictions, reservations, easements, declarations, encumbrances, liens, obligations and liabilities or other matters recorded in the official records of Washington County, Utah; any and all conditions, easements, encroachments, rights-of-way, or restrictions which a physical inspection, or accurate ALTA survey, of the Property would reveal; and the applicable municipal, county, state or federal zoning and use regulations.

AND GRANTOR hereby binds itself and its successors to warrant and defend the title against all of the acts of Grantor and no other, subject to the matters set forth above.

[Signatures on next page]

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IN WITNESS WHEREOF, Grantor has caused this Special Warranty Deed to be executed as of the 25 day of Oct., 2002.

GRANTOR:

PIVOTAL SPA I, L.L.C.,
an Arizona limited liability company

By: Pivotal Group X, L.L.C.,
an Arizona limited liability company
Its: Managing Member

By: F. Francis Najafi, Trustee of the F. Francis
Najafi Family Trust
Its: Administrative Member

By: 
F. Francis Najafi, Trustee


MARK W. STROMBERG

State of Arizona)
) ss.
County of Maricopa)

On the 25 day of Oct., 2002, before me personally appeared F. Francis Najafi, known to me to be the Trustee of the F. Francis Najafi Family Trust, the Administrative Member of Pivotal Group X, L.L.C., the Managing Member of Pivotal Spa I, L.L.C., who swore and acknowledged that he executed and was authorized to execute the foregoing instrument in such capacity.

Peggy L. Kennedy
Notary Public

My Commission Expires: 2/24/03



State of Arizona)
) ss.
County of Maricopa)

On the 25 day of Oct., 2002, before me personally appeared Mark Stromberg, who swore and acknowledged that he executed the foregoing instrument.

Peggy L. Kennedy
Notary Public

My Commission Expires: 2/24/03



EXHIBIT A

Legal Description of Mark II Parcel

Beginning at a point which lies South 88°43'01" East 654.58 feet along the section and township line from the north quarter corner of Section 4, Township 42 South, Range 16 West of the Salt Lake Base and Meridian and running thence South 00°00'00" East 170.60 feet to a point on the easterly right-of-way line of Snow Canyon Parkway, an 80.00 foot wide dedicated public roadway, said point being on the arc of 540.00 foot radius non tangent curve concave southwesterly, the radius point of which bears South 44°56'26" West; thence northwesterly 246.49 feet along the arc of said curve through a central angle of 26°09'41" to the point of curvature of a 44.72 foot radius non tangent curve concave northwesterly, the radius point of which bears North 08°39'46" West; thence northeasterly 44.59 feet along the arc of said curve through a central angle of 57°08'10" to the point of tangency; thence North 24°12'06" East 20.39 feet to the point of curvature of a 428.17 foot radius curve concave westerly; thence northerly 95.62 feet along the arc of said curve through a central angle of 12°47'45" to the point of compound curvature of a 122.61 foot radius curve concave westerly; thence northerly 13.85 feet along the arc of said curve through a central angle of 06°28'22" to the point of tangency; thence North 04°55'59" East 55.16 feet to the point on the arc of a 30.40 foot radius non tangent curve concave northwesterly, the radius point of which bears North 32°03'39" West; thence northeasterly 32.62 feet along the arc of said curve through a central angle of 61°28'34" to the point of compound curvature of a 341.45 foot radius curve concave westerly; thence northerly 90.42 feet along the arc of said curve through a central angle of 15°10'22" to the point of tangency; thence North 18°42'35" West 12.70 feet to the point of curvature of a 1,414.00 foot radius curve concave westerly; thence northerly 67.24 feet along the arc of said curve through a central angle of 02°43'28" to the point of reverse curvature of a 402.24 foot radius curve concave easterly; thence northerly 195.86 feet along the arc of said curve through a central angle of 27°53'53" to a point on a radial line; thence along said radial line South 83°32'09" East 135.73 feet; thence North 77°28'56" East 141.43 feet; thence North 43°53'55" East 134.43 feet; thence South 88°47'01" East 294.62 feet; thence South 40°00'00" East 499.17 feet; thence South 01°13'26" West 194.51 feet; thence North 88°47'01" West 792.47 feet; thence South 00°00'00" East 151.82 feet to a point on said section and township line and the point of beginning. Contains 10.995 acres.