



Arizona Department of Real Estate (ADRE)
Development Services Division
www.azre.gov

100 North 15th Avenue, Suite 201, Phoenix, Arizona 85007

DOUGLAS A. DUCEY
GOVERNOR

JUDY LOWE
COMMISSIONER

In the Matter of the Petition of: Newtown Community Development Corporation Tempe Micro Estates DM20-059972 Petitioner(s)	SPECIAL ORDER OF EXEMPTION REGISTRATION NO. DM20-059972 CONDITIONAL SALES (Subdivision)
--	---

The above-named petitioned the Commissioner of the Arizona Real Estate Department for an exemption from the subdivision requirements of A.R.S. §§ 32-2181(A), 32-2183(A) and 32-2183(F), for the purpose of making conditional sales until such time as a Public Report is issued, under the provisions of A.R.S. §32-2181.01 as to the following described land:

Tempe Micro Estates, aka

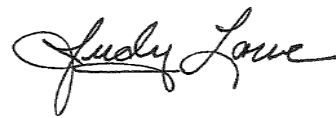
It appearing that petitioner is in the process of preparing an application for Public Report pursuant to A.R.S. §32-2181(A), and it further appearing that compliance with the above-referenced subdivision requirements prior to offering individual lots for sale is not essential to the public interest or for the protection of the purchasers by reason of the limited character and duration of the offer for sale due to the conditional sales provisions written into all sales contracts.

NOW, THEREFORE, IT IS ORDERED under the authority of A.R.S. §32-2181.01, that the above-described property is exempt from the provisions of A.R.S. §§ 32-2181(A), 32-2183(A) and 32-2183(F), for the purpose of making conditional sales, until such time as a Public Report is issued, provided the same is sold or leased as stated in the petition; it being understood that this exemption is only granted to the named petitioner and does not extend to any subsequent owners or purchasers; it being further understood that all advertising and promotional materials utilized during the conditional sales period must disclose that SALES ARE CONDITIONED UPON BUYERS RECEIPT AND ACCEPTANCE OF THE

ARIZONA SUBDIVISION PUBLIC REPORT; it also being further understood that failure to comply with any of the terms, conditions or representations made in connection with the petition for Special Order of Exemption or failure to comply with any term or condition of this Order shall render this Order void and a Summary Order of Suspension may be issued.

By Order of the Commissioner of the Arizona Department of Real Estate.

DATED this 21st day of April, 2019.

A handwritten signature in cursive script that reads "Judy Lowe".

Judy Lowe
Real Estate Commissioner
Arizona Department of Real Estate



Arizona Department of Real Estate (ADRE)
Development Services Division
www.azre.gov

100 N. 15th Ave. Suite 201
PHOENIX, AZ 85007

DOUGLAS A. DUCEY
GOVERNOR

JUDY LOWE
COMMISSIONER

CONDITIONAL SALES EXEMPTION

PROPOSED SUBDIVISION DISCLOSURE REPORT

(PUBLIC REPORT)

FOR

Tempe Micro Estates

Registration No. DM20-059972

SUBDIVIDER

Newtown Community Development Corporation
2106 E. Apache Boulevard, Suite 112
Tempe, Arizona 85281

Effective Date: April 16, 2020

PROPERTY REPORT DISCLAIMER

This report is NOT A RECOMMENDATION NOR AN ENDORSEMENT by the State of Arizona of this land. The application and public report have not been subjected to a detailed examination by the Department. The report was prepared by the subdivider and none of the information in this report has been verified by the Department; all information has been accepted by the Department as true and accurate based on attestation of the subdivider/or the subdivider's agents. The purchaser should verify all facts before signing any documents. The Department assumes no responsibility for the quality or quantity of any improvement in this development.

Contents

GENERAL.....	4
SUBDIVISION LOCATION.....	4
UTILITIES.....	4
STREETS, ROADS AND DRAINAGE.....	6
LOCAL SERVICES AND FACILITIES.....	7
COMMON, COMMUNITY AND RECREATIONAL FACILITIES.....	8
ASSURANCES FOR COMPLETION OF IMPROVEMENTS.....	8
PROPERTY OWNERS ASSOCIATIONS.....	9
SUBDIVISION CHARACTERISTICS.....	9
SUBDIVISION USE AND RESTRICTIONS.....	17
AIRPORTS.....	17
TITLE.....	18
METHOD OF SALE OR LEASE.....	18
TAXES AND ASSESSMENTS.....	19

THE ARIZONA DEPARTMENT OF REAL ESTATE

REQUIRES THAT:

1. You BE GIVEN this public report;
2. YOU SIGN A RECEIPT indicating that you received this report;

RECOMMENDS:

1. You DO NOT SIGN ANY AGREEMENT before you have read this report;
2. You see the EXACT PROPERTY you are interested in BEFORE SIGNING any document for lease or purchase.

ARIZONA LAW STATES:

1. THE SALE OR LEASE OF SUBDIVIDED LANDS PRIOR TO ISSUANCE OF THIS REPORT OR FAILURE TO DELIVER THIS REPORT TO YOU SHALL RENDER THE SALE OR LEASE RESCINDABLE BY YOU. ACTION TO RESCIND MUST BE BROUGHT WITHIN 3 YEARS FROM DATE OF EXECUTION OF PURCHASE AGREEMENT.
2. CONTRACTS OR AGREEMENTS FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)* MAY BE RESCINDED BY YOU WITHOUT CAUSE BY SENDING OR DELIVERING WRITTEN NOTICE OF RESCISSION BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE SIGNING.
3. IF YOU HAVE SIGNED A PURCHASE AGREEMENT FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)* PRIOR TO INSPECTING THE LOT, YOU HAVE SIX MONTHS TO INSPECT AND UPON INSPECTION MAY RESCIND THE PURCHASE AGREEMENT.

*A contract or agreement for purchase of a lot which includes a building or obligates the seller to complete construction of a building within two years from the contract date does not constitute the purchase of an unimproved lot. Therefore, if your purchase includes a lot and a building or a building to be built, you are not entitled to the rescission rights described in paragraphs 2 and 3.

GENERAL

This report includes: Lots 1 through 13, inclusive.

The map of this subdivision is recorded in Book 1503 of Maps, page 48, records of Maricopa County, Arizona.

The subdivision is approximately 0.67 gross acres in size. It has been divided into 13 Lots and 1 Tract (Tract A). Lot boundaries will be corner stakes and radii.

YOU ARE ADVISED TO OBTAIN A COPY OF THE RECORDED MAP AND CORRECTION DOCUMENTS, IF ANY, AND NOTE ALL EASEMENTS, RESTRICTIONS AND STATEMENTS CONTAINED THEREIN.

SUBDIVISION LOCATION

Location: The subdivision is located south of Spence Avenue at Rita Lane, within the City of Tempe, Maricopa County, Arizona.

UTILITIES

Electricity: Arizona Public Service (APS), (602) 371-7171, website: www.aps.com. Subdivider to complete the facilities to the lot lines by June 30, 2021. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchaser's cost to receive service includes a service activation fee of \$25.00, plus tax. A security deposit may be required. Deposit amounts are based on usage from the new address. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change, please contact the utility provider for further details.

Telephone: Cox Communications, (623) 594-1000 or (866) 867-7644, website: www.cox.com. Subdivider to complete the facilities to the lot lines by June 30, 2021. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchaser's cost to receive service may include a one-time installation fee of \$75.00 and a credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.

NOTE: IT IS POSSIBLE THAT YOU MAY NOT HAVE TELEPHONE SERVICE AT THE TIME OF CLOSING. PURCHASER IS ADVISED TO CONTACT THEIR SERVICE PROVIDER TO DETERMINE THE STATUS OF TELEPHONE SERVICE. YOU MAY ALSO WANT TO CONSIDER TEMPORARY ALTERNATIVES, I.E., A CELLULAR TELEPHONE.

Cable: Cox Communications, (623) 594-1000 or (866) 867-7644, website: www.cox.com. Subdivider to complete the facilities to the lot lines by June 30, 2021. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchasers will be required to pay an installation fee of \$20.00 (self-connect) or \$75.00 (professional connect). A credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.

NOTE: IT IS POSSIBLE THAT YOU MAY NOT HAVE CABLE SERVICE AT THE TIME OF CLOSING. YOU ARE ADVISED TO CONTACT YOUR SERVICE PROVIDER TO DETERMINE THE STATUS OF CABLE SERVICE. YOU MAY ALSO WANT TO CONSIDER TEMPORARY ALTERNATIVES, I.E., A SATELLITE ANTENNA.

Internet or Fiber Optic: Cox Communications, (623) 594-1000 or (866) 867-7644, website: www.cox.com. Subdivider to complete the facilities to the lot lines by June 30, 2021. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchasers will be required to pay an installation fee of \$20.00 (self-connect) or \$75.00 (professional connect). A credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.

NOTE: IT IS POSSIBLE THAT YOU MAY NOT HAVE INTERNET SERVICE AT THE TIME OF CLOSING. YOU ARE ADVISED TO CONTACT YOUR SERVICE PROVIDER TO DETERMINE THE STATUS OF INTERNET SERVICE. YOU MAY ALSO WANT TO CONSIDER TEMPORARY ALTERNATIVES, I.E., A SATELLITE ANTENNA.

Natural Gas: Subdivider advises that natural gas is not available to the subdivision.

Water: City of Tempe, (480) 350-8361, website: www.tempe.gov. Subdivider to complete the facilities to the lot lines by June 30, 2021. Cost to complete facilities from lot line to dwelling is included in the purchase price. Cost to purchasers to receive service is divided between all Homeowners.

Sewage Disposal: City of Tempe, (480) 350-8361, website: www.tempe.gov. Subdivider to complete the facilities to the lot lines by June 30, 2021. Cost to complete facilities from lot line to dwelling is included in the purchase price. Cost to purchasers to receive service is divided between all Homeowners.

Garbage Services: Republic Services, (602) 237-2078, website: www.republicservices.com. Cost to purchasers to receive service is included in the Homeowners Association assessments.

Utilities (Telephone, Cable and Internet or Fiber Optic) will be completed and pulled through the conduits to the lot lines by December 31, 2021.

Conduit Only for Telephone, Cable and Internet or Fiber Optic: Developer will provide trench and service providers will install conduit within subdivision. Wire from junction box to house will be installed by service provider upon request from homebuyer. Service provider is also responsible for installing any wire and/or conduit required to the boundary of the subdivision. At the time of close of escrow of any lot, developer will have installed all conduit on that lot and will have signed agreement with Service Provider. Developer has no control over the timing of when Service Provider will complete its portion of the wire and/or conduit and, therefore, developer has no control over the availability of telephone, cable and internet or fiber optic service.

PURCHASERS ARE ADVISED TO CONTACT THE ABOVE LISTED PROVIDERS REGARDING EXTENSION RULES, REGULATIONS, SERVICE CONNECTIONS, INSTALLATION CHARGES, ACCOUNT SET-UP FEES AND THE COSTS INVOLVED. COSTS ARE SUBJECT TO CHANGE BY THE SERVICE PROVIDERS.

STREETS, ROADS AND DRAINAGE

Access to the Subdivision: The asphalt paved public streets have been completed to the minimum standards of the City of Tempe, which have been accepted by the City for maintenance. Costs to purchasers for maintenance are included in the property taxes.

Access within the Subdivision: Subdivider to complete the asphalt paved parking lot to the minimum standards of the City of Tempe by June 30, 2021, which will then be accepted by the Homeowners Association for maintenance. Costs to purchasers for maintenance are included in the Homeowners Association assessments.

Street Lights: Subdivider to complete the street light facilities by June 30, 2021. Costs to purchasers for maintenance are included in the Homeowners Association assessments.

Flood and Drainage: Subdivider to complete the typical street drainage by June 30, 2021, which will then be maintained by the Homeowners Association. Costs to purchasers for maintenance are included in the Homeowners' Association assessments.

Arizona State Trust Land: The Arizona State Land Department administers over 9.3 million acres of State Trust Land. This is not public land. Trust land may be subject to future development and may not be preserved or saved for open space without compensation.

A person must have prior approval to use State Trust Land. Temporary recreational use is allowed with certain restrictions and conditions through purchase of a recreational permit. Use of State Trust Land without proper approval is a trespass.

MANY ROADS ON RURAL TRUST LANDS ARE NOT LEGAL TRAVEL ROUTES, EXCEPT FOR STATE LESSEES AND HUNTERS, AND DO NOT PROVIDE LEGAL ACCESS TO PRIVATE LAND. STATE TRUST LAND MAY BE SOLD OR LEASED FOR USES WHICH MAY EXCLUDE RECREATION. RECREATION IS A TEMPORARY USE THAT MAY BE TERMINATED AT ANY TIME.

For additional information, visit the State Land Department web page at www.azland.gov, or call (602) 542-4631.

LOCAL SERVICES AND FACILITIES

Schools:

Elementary Curry Elementary School (K-5), 1974 E. Meadow Drive, Tempe, Arizona 85282, (480) 967-8336, approximately 1 ¼ miles southeast of the subdivision.

Middle School Connolly Middle School (6-8), 2002 E. Concorde Drive, Tempe, Arizona 85282, (480) 967-8933, approximately 1 ½ miles southeast of the subdivision.

High School McClintock High School (9-12), 1830 E. Del Rio Drive, Tempe, Arizona 85282, (480) 839-4222, approximately 1 ¼ miles southeast of the subdivision.

NOTE: Purchasers are advised that school boundaries, school assignments and school bus transportation are subject to change. Prospective Purchasers should contact the Tempe Elementary School District #3 at (480) 730-7100 or visit their website at www.tempeschools.org and Tempe Union High School District at (480) 839-0292 or visit their website at www.tempeunion.org for verification of schools, the current location of schools and bus service. Additional information regarding schools and districts can be found at the following websites: www.greatschools.net and www.azed.gov.

SCHOOL BUS TRANSPORTATION WILL ONLY BE PROVIDED TO STUDENTS RESIDING OUTSIDE THE SCHOOLS DESIGNATED WALKING DISTANCE. PURCHASERS SHOULD CONTACT THE SCHOOLS TO DETERMINE THE AVAILABILITY OF SCHOOL BUS TRANSPORTATION.

Shopping Facilities: Safeway, 926 E. Broadway Road, Tempe, Arizona, approximately ½ mile southwest of the subdivision.

Public Transportation: Valley Metro Transit System Bus Stops are at the following locations:

- Free Valley Metro Bus Circulator Flag Zone located at Spence and Rita Lane, approximately 0.08 miles (450 feet)
- Bus Stop located at Rural Rd & Spence Ave, approximately 0.25 miles
- Valley Metro Light Rail, Dorsey & Apache Station, approximately 0.32 miles
- [Under construction] Valley Metro Streetcar Stop Rural & Apache, approximately 0.30 miles

NOTE: Bus routes and schedules are subject to change. For additional information, please contact the Valley Metro Transit System at (602) 253-5000, or visit the website at www.valleymetro.org.

Medical Facilities: Tempe St. Luke's Hospital, 1500 S. Mill Avenue, Tempe, Arizona, approximately 1 mile west of subdivision.

Fire Protection: Provided by the City of Tempe Fire Department, costs included in property taxes.

Ambulance Service: Ambulance service is available by dialing 911.

Police Services: Provided by the City of Tempe Police Department.

LOCATIONS AND COSTS OF THE ABOVE SERVICES AND FACILITIES MAY CHANGE. YOU SHOULD VERIFY THEIR CURRENT LOCATIONS AND COSTS PRIOR TO PURCHASE.

COMMON, COMMUNITY AND RECREATIONAL FACILITIES

Within the Subdivision: Subdivider to complete the common room by June 30, 2021, which will then be maintained by the Homeowners Association. Cost to purchasers for maintenance is included in the Homeowners Association fees.

ASSURANCES FOR COMPLETION OF IMPROVEMENTS

Assurances for Completion of Subdivision Facilities: Subdivider has provided a Certificate of Occupancy Agreement with the City of Tempe to assure completion of all subdivision improvements which includes the private parking lot.

Assurances for Maintenance of Subdivision Facilities: CC&Rs provide for the Homeowners Association to maintain all common areas and private streets. Utility companies to maintain their respective utilities. The City of Tempe to maintain public streets.

PROPERTY OWNERS ASSOCIATIONS

Name and Assessments: Tempe Micro Estates Homeowners Association. Property Owners will be required to pay assessments in the amount of \$135.00 per month.

Control of Association: Control of the Association will be turned over to Lot Purchasers upon the happening of the first to occur of the following:

- a. The date upon which Declarant no longer owns any improvements on any of the lots of the Project, or
- b. The date that twenty (20) years after the date this Declaration is recorded.

Title to Common Areas: Title to the common areas will be leased to the Homeowners Association upon completion of construction.

Membership: All Purchasers will be members of the Association.

PAYMENTS TO PROPERTY OWNERS ASSOCIATIONS ARE SUBJECT TO CHANGE IN ACCORDANCE WITH RECORDED RESTRICTIONS. SAID ASSOCIATION MAY ALSO IMPOSE SPECIAL ASSESSMENTS.

SUBDIVISION CHARACTERISTICS

Topography: Land is level.

Flooding and Drainage: This subdivision is not subject to known flooding or drainage problems. In a letter dated June 14, 2019, Jeff Hunt, PE, Principal, of Cypress Civil Development, has cited, in part:

“This Project is a proposed residential subdivision located in Tempe, Arizona. This flood letter has been requested by the Owner of the project for the property’s public report.

Based on current FEMA Flood Insurance Rate Maps (FIRMs), the site is located on 04013C2245L, dated 10/16/2013 and lies within a Zone “X” flood zone. The flood hazard zone associated with the Project is defined as:

“Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.”

This floodplain designation does not carry a Federal requirement to carry flood insurance.”

The subdivision is approximately 1.3 miles south of the Salt River Channel.

Soils: Subdivider advises that the soils have low expansive potential. In a letter, dated May 28, 2019, Kelby Williams, P.E., Project Engineer, of Western Technologies Inc., has cited, in part:

“As requested, this letter has been prepared to present specific information relative to earth fissures/ground subsidence and expansive soils at the referenced Site in accordance with the disclosure requirements of the Arizona Department of Real Estate (ADRE). Western Technologies Inc. (WT) has prepared a geotechnical evaluation report number 2128JT157 dated November 19, 2018, and titled Geotechnical Evaluation Report, Tempe Micro Estates.

Based on the results of the subsurface exploration at the referenced Site, surface soils to depths of approximately 4 to 6 feet consist of loose to dense Clayey SAND or firm to stiff Sandy Lean CLAY overlying very dense Sand, Gravel, and Cobbles. The surface soils are medium in plasticity. Groundwater was not encountered in any of the borings at the time of exploration. The laboratory testing indicated that the surface soils did exhibit some expansive movement and may be characterized as having low expansive potential.

The results of the geotechnical exploration and laboratory testing indicated that the near surface soils exhibit low compressibility at existing moisture conditions when supporting light to moderate foundation loads. When subjected to an increase in water content, the soils exhibit medium to high levels of additional compressibility. Based on the subsurface conditions encountered at the Site, recommendations were provided for conventional and post-tensioned slab-on-grade foundations bearing on imported engineered fill or native soil reworked and compacted under engineering observation and testing.

During and after construction, the foundation supporting soils should not be subject to significant moisture content fluctuations. Proper drainage of surface water and roof runoff should be directed away from the structures during and after construction. Water should not be allowed to pond near any structure or foundation system, and the design and placement of landscape vegetation and irrigation systems should be performed such that bearing soils and backfill materials are not subject to water infiltration or significant increases in water content.

The subject Site is suitable for the construction of one- and two-story residential structures after site preparation as presented in the geotechnical report. Conventional or Post-tensioned foundations for the residential structures must be supported by compacted (engineered) fill or prepared native soil. All fill should be placed and compacted as recommended in the project geotechnical report. The design and construction of the residential development should conform to applicable local building codes.

Based on our review of the available geological information with respect to ground subsidence and earth fissures in Tempe, Arizona, the subject Site is not located near the presence of earth fissures. The nearest earth fissure study area is located approximately 11 miles to the northeast of the subject Site.

As stated previously, this letter was prepared to present Site-specific geotechnical information required by ADRE in A.A.C. R4-28-1203. This letter does not provide comprehensive geotechnical recommendations for design and construction. Please refer to WT's geotechnical evaluation report for more detailed discussion of the field and laboratory testing, subsurface conditions, geotechnical properties, and design and construction recommendations for this Site.”

Adjacent Lands and Vicinity:

North: R-4 (Multi-Family Residential General)

West: R-4 (Multi-Family Residential General)

East: R-1 PAD (Single-Family Residential Planned Area Development)

South: Union Pacific Railroad

South: R-3 – (Multi-Family Residential Limited)

NOTE: Owners of the adjacent land described above may seek to rezone their property, may seek zoning variances for their property or may modify their site plan within existing zoning. Consequently, no assurance can be given that the zoning or uses for the adjacent lands will not change from that described above. Purchasers should contact the City of Tempe Planning & Zoning Department at (480) 350-8331 or Maricopa County Planning & Development Department at (602) 506-3201 for up-to-date information.

North:

- Metro Light Rail, approximately ¼ mile
- ASU Campus, approximately ¾ mile
- Farrington Softball Stadium, approximately 1 mile
- ASU Karsten Golf Course, approximately 1 mile
- Rio Salado Park, approximately 1 ¼ miles and approximately 1 ½ miles
- Tempe Town Lake, approximately 1 ¼ miles
- Red Mountain Freeway (202), approximately 1 ¾ miles

Northeast:

- Metro Light Rail, approximately ¼ mile
- Dorsey Ln/Apache Blvd Park-and-Ride, approximately ¼ mile
- Fire Station, approximately ½ mile
- Tempe FD/APS Joint Training Facility, approximately ¾ mile
- ASU Campus, approximately ¾ mile
- ASU Karsten Golf Course, approximately ¾ mile
- Law Enforcement Buildings, approximately 1 mile
- McClintock Rd/Apache Blvd Park-and-Ride, approximately 1 mile
- Post Office, approximately 1 ¼ miles
- Tempe Marketplace, approximately 1 ½ miles
- Rio Salado Park, approximately 1 ½ miles
- Tempe Town Lake, approximately 1 ½ miles
- Salt River, approximately 1 ½ miles
- Indian Bend Wash, approximately 1 ¾ miles
- Indian Bend Wash Habitat, approximately 1 ¾ miles
- Red Mountain Freeway (101), approximately 1 ¾ miles
- Salt River-Pima-Maricopa Indian Community, approximately 1 ¾ miles
- Price Fwy/Apache Blvd Park-and-Ride, approximately 1 ¾ miles
- Tempe Canal, approximately 2 miles
- Pima Freeway (101), approximately 2 miles
- Cubs Park, approximately 2 ¼ miles
- Green Acres Memorial Cemetery, approximately 2 ¾ miles
- Vista del Camino Park, approximately 2 ¾ miles
- Riverview Park, approximately 3 miles

East:

- Price Freeway (101), approximately 1 ¾ miles
- Tempe Canal, approximately 2 miles

Southeast:

- Union Pacific Railroad, adjacent
- Southern Palms Center, approximately 1 ¼ miles
- Valley metro Park-and-Ride, approximately 1 ¼ miles
- Shalimar Country Club, approximately 1 ½ miles
- Price Freeway (101), approximately 1 ¾ miles
- Superstition Freeway (60), approximately 2 miles
- Tempe Canal, approximately 2 ¼ miles
- Banner Desert Medical Center, approximately 2 ½ miles
- Cardon Children's Medical Center, approximately 2 ½ miles
- Fire Station, approximately 2 ½ miles
- Mesa Community College, approximately 3 miles

South:

- Union Pacific Railroad, adjacent
- Superstition Freeway (60), approximately 1 ¾ miles

Southwest:

- Union Pacific Railroad, adjacent and approximately 1 ½ miles
- Library, approximately 1 ½ miles
- Post Office, approximately 1 ½ miles
- Superstition Freeway (60), approximately 1 ¾ miles
- Kiwanis Community Park, approximately 2 ½ miles
- Western Canal, approximately 2 ½ miles
- Twin Buttes County Cemetery, approximately 2 ½ miles
- Tempe Double Butte Cemetery, approximately 2 ¾ miles
- Arizona Mills, approximately 2 ¾ miles
- Maricopa Freeway (10)(60), approximately 2 ¾ miles
- Tempe Diablo Stadium Complex, approximately 2 ¾ miles

West:

- ASU Campus, within ¼ mile
- Daley Park, approximately ½ mile
- Tempe St. Luke's Hospital, approximately 1 mile
- Union Pacific Railroad, approximately 1 mile
- Maricopa Freeway (10)(60), approximately 3 miles
- Hohokam Freeway (143), approximately 3 ¼ miles

Northwest:

- ASU Campus, within ¼ mile
- Metro Light Rail, approximately ½ mile
- Wells Fargo Arena, approximately 1 mile
- Sun Devil Stadium, approximately 1 mile
- Sun Angel Stadium, approximately 1 mile
- Packard Stadium, approximately 1 mile
- ASU Gammage, approximately 1 mile
- Union Pacific Railroad, approximately 1 ¼ miles
- Hayden Butte Preserve, approximately 1 ¼ miles
- Tempe Town Lake, approximately 1 ¼ miles
- Rio Salado Park, approximately 1 ¼ miles and approximately 1 ½ miles
- Municipal Buildings, approximately 1 ¼ miles
- Law Enforcement Buildings, approximately 1 ¼ miles
- Fire Station, approximately 1 ½ miles
- Post Office, approximately 1 ½ miles
- Tempe Beach Park, approximately 1 ½ miles
- Papago Park, approximately 1 ¾ miles
- Red Mountain Freeway (202), approximately 1 ¾ miles
- Salt River, approximately 2 miles
- Marquee Theater, approximately 2 miles
- Tempe Center for the Arts, approximately 2 miles
- Grand Canal, approximately 2 ¼ miles
- Rolling Hills Golf Course, approximately 2 ½ miles
- Evelyn Hallman Park, approximately 2 ½ miles
- San Francisco Canal, approximately 2 ¾ miles
- Phoenix Zoo, approximately 2 ¾ miles
- Phoenix Municipal Stadium, approximately 3 miles

Freeways: The close proximity of Red Mountain Freeway (202), Price Freeway (101), Superstition Freeway (60), Maricopa Freeway (10)(60), Hohokam Expressway (143), and the Maricopa Freeway (10) may be a safety hazard to unsupervised children, pets and adults. Purchasers are advised that the potential exists for the future widening of this freeway which may produce noise, vibration, fumes, dust, additional traffic, fuel particles and other effects from construction, which some individuals may find objectionable. For more information, visit the Arizona Department of Transportation website at www.azdot.gov.

Union Pacific Railroad: Due to the proximity of the railroad, the operation, repair and/or replacement of railroad line may result in traffic, noises, odors, dust, vibrations, derailments or other potential nuisances or hazards. The railroad may operate 24 hours a day, 7 days per week. Union Pacific Railroad has advised there are no pre-determined hours of operation. These areas may also pose safety hazards to unsupervised children and adults. Purchasers are encouraged to drive within the vicinity of community to determine whether there may exist additional items of concern. For further information, contact Union Pacific Railroad at (602) 322-2530, or visit the website at www.up.com.

Metro Light Rail System: Light rail will operate on two sets of tracks, with trains of up to three cars traveling in each direction. Light rail trains will run 18 to 20 hours per day, every day of the week, stopping at stations about every 10 minutes during peak hours and above every 20 minutes off-peak. Future METRO Extensions are planned in Phoenix, Tempe, Mesa and Glendale. During construction, additional vehicle traffic (including heavy construction vehicles), dust, noise (including construction noise in the early mornings), etc. may exist. For further information contact Valley Metro Rail at (602) 262-7433 or www.valleymetro.org.

[Under construction] Valley Metro Streetcar Stop Rural & Apache, approximately 0.30 miles north of the subdivision. Completion expected in 2021. (<https://www.valleymetro.org/project/tempe-streetcar>).

Salt River Pima-Maricopa Indian Community: Subdivider makes no representation or warranty with respect to future land uses on the Salt River Pima-Maricopa Indian Community nor as to any rights an adjacent property owner may have to protest or influence future land uses. Land use changes within the Salt River Pima-Maricopa Indian Community are not subject to mandatory public notice and hearing requirements and procedures that are common in many municipalities. Please contact the Salt River Pima-Maricopa Indian Community at 10005 East Osborn Road, Scottsdale, Arizona 85256, (480) 362-7740 or visit the website at www.srpmicnsn.gov.

Southwest Gas Corporation: Natural gas service is NOT available within the subdivision. However, as a result of natural gas facilities available to lots within the vicinity of the subdivision, major natural gas lines in the vicinity of this community are necessary in order to service the surrounding areas. For further information regarding natural gas lines, purchasers should contact Southwest Gas Corporation at (877) 860-6020 or log onto their website at www.swgas.com. Additional information may be obtained by contacting the Pipeline and Railroad Safety Department of the Arizona Corporation Commission at (602) 262-5601 or visit the Corporation Commission web site at www.azcc.gov/safety/pipeline.

Fire Station: Due to the proximity of fire stations, this subdivision may experience an increased amount of noise, and other effects associated with this type of facility that may be of concern to some individuals.

Bodies of Water: Purchasers are advised that canals, creeks, channels, rivers, floodways, man-made lakes, levees, washes, and wells may be hazardous to unsupervised children and adults. Purchasers are advised to independently investigate this matter. For further information, please contact the Flood Control District of Maricopa County at (602) 506-1501 or visit their website at www.fcd.maricopa.gov.

Termites: Prior to pouring finished floors, each home will be treated for termites with certain chemicals, as permitted by law. The termite protection warranty that is provided with the home does not guarantee that termite infestation will not occur during the warranty period. The chemicals dissipate over time and other events may occur that will require the home to be retreated. Certain actions to the home, such as excessive watering and landscaping around the foundation of the home, may void the warranty.

Views: Views and/or scenes that may be visible from particular portions of the community or any of its lots will change over time and may be wholly or partially obstructed as development activity continues and landscape matures. **SUBDIVIDER MAKES NO REPRESENTATIONS OR WARRANTY REGARDING THE FUTURE PROTECTION OF VIEWS THAT MAY BE A FACTOR IN THE PURCHASER'S DECISION TO PURCHASE IN THIS COMMUNITY.**

Scorpions and Other Pests: Cockroaches, snakes, black widow spiders, scorpions and other pests and animals are common in parts of Arizona. Fortunately, most pests can be controlled with pesticides. Scorpions, on the other hand, may be difficult to eliminate. Purchasers with concerns should seek the advice of a pest control company. If these or any other creatures are a concern, purchaser may contact the Arizona Game and Fish Department at (602) 942-3000, or visit their website at www.azgfd.gov. For additional information, please visit www.desertusa.com.

Construction Traffic: During the construction of additional roads, widening of existing roads, and construction of houses, additional vehicle traffic (including heavy construction vehicles), dust, noise (including construction noise in the early mornings), etc. may exist.

Subdivider has used its best efforts in an attempt to disclose all noteworthy activities and conditions surrounding this subdivision using the resources reasonably available to developer at the time this Public Report was prepared. This information may change from time to time. Prospective purchasers are encouraged to (i) drive the areas surrounding the subdivision (at different times of the day) to determine whether there exists any activities or conditions that may be of concern to Purchaser and (ii) determine to Purchaser's own satisfaction whether or not the items mentioned in the Public Report or discovered by Purchaser's own inspections are of concern to Purchaser.

PURCHASER IS ADVISED THAT HOMES SITUATED ADJACENT TO OR IN THE VICINITY OF COMMERCIAL PROPERTY, MULTI-FAMILY SITES, WORSHIP SITES, SCHOOL SITES, STREETS, FREEWAYS, PARKWAYS, ROADWAYS, TRAILS, OPEN SPACE AREAS, CONSTRUCTION-RELATED OPERATIONS, INDUSTRIAL PROPERTIES, PROVING GROUND, MINING OPERATIONS, ENTERTAINMENT VENUES, PARKS, CORRECTIONAL FACILITIES, AGRICULTURAL AREAS, OTHER NON-RESIDENTIAL USES, AND/OR OTHER RECREATION AMENITIES MAY EXPERIENCE AN ADDITIONAL AMOUNT OF NOISE, DUST, LIGHTING, AND SIGNAGE, AS WELL AS PEDESTRIAN AND VEHICULAR TRAFFIC TYPICALLY ASSOCIATED WITH SUCH FACILITIES.

SUBDIVISION USE AND RESTRICTIONS

Use: This offering is for improved lot.

“Improved lot or parcel” means a lot or parcel of a subdivision upon which lot or parcel there is a residential, commercial or industrial building or concerning a contract that has been entered into between a subdivider and a purchaser that obligates the subdivider directly or indirectly through a building contractor, to complete construction of a residential, commercial or industrial building on the lot or parcel within two years from the date on which the contract of sale for the lot is entered into.

Zoning: R-1 PAD Single-Family Residential (City of Tempe)

Conditions, Reservations and Restrictions: As stated in the recorded Declaration of Covenants, Conditions and Restrictions and as stated in the Articles of Incorporation and Bylaws of the Homeowners’ Association.

PURCHASERS ARE ADVISED THAT THE RECORDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION PROVIDES FOR AN ARCHITECTURAL CONTROL COMMITTEE.

Restrictions and Other Matters of Record: Conditions, reservations and restrictions that may run with the land including City or County zoning restrictions should be investigated by you. Copies of those items which are recorded may be inspected at the Office of the Maricopa County Recorder. Information about zoning may be obtained at the Office of the City of Tempe Planning and Zoning Department. Restrictions are recorded as cited in the following title exceptions and per the subdivision plat.

AIRPORTS

Public Airport: Phoenix Sky Harbor International Airport is located at 3400 East Sky Harbor Boulevard, Phoenix, Arizona, located approximately 4 miles northwest of the subdivision.

SUBDIVISION IS LOCATED WITHIN TERRITORY IN THE VICINITY OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT. FLIGHTS MAY PRODUCE AIRCRAFT NOISE AS A RESULT OF FLIGHT OPERATIONS.

TITLE

Title to this subdivision is vested in City of Tempe, an Arizona municipal corporation.

Subdivider's interest in this subdivision is evidenced by Development and Disposition Agreement with the City of Tempe recorded at Document No. 2020-75784.

Subdivider's only interest in the Subdivision is a right to purchase Lots pursuant to the described Development and Disposition Agreement. The purchasers have no assurance that Subdivider will purchase all the Subdivision Lots.

Title is subject, among other things, to all taxes, assessments, covenants, conditions, restrictions, limitations, reservations, rights, obligations, powers, easements, rights of way, liens, and charges of record. **YOU SHOULD INVESTIGATE THE TITLE AND SATISFY YOURSELF AS TO WHAT EFFECT, IF ANY, THESE MATTERS MAY HAVE ON THE USE OF THE LAND.** Title exceptions affecting the condition of title are listed in the Preliminary Title Report dated February 27, 2020 issued by FIRST AMERICAN TITLE INSURANCE COMPANY. **You should obtain a title report and determine the effect of the listed exceptions.**

EXCEPTIONS: SEE EXHIBIT "A" ATTACHED

METHOD OF SALE OR LEASE

Sales: Your vested interest/ownership interest in the improvements to the property will be evidenced by the owner delivering a recorded warranty deed and recorded ground lease to you and by your signing a Promissory Note and Mortgage or Deed of Trust for the unpaid principal balance, if any. *You should read these documents before signing them.*

Cash sales are permitted. Purchaser's deposits and earnest monies will be deposited into a neutral escrow account and cannot be used by Seller until the close of escrow.

Release of Liens and Encumbrances: Subdivider has advised that arrangements have been made with the lender in the aforementioned deeds of trust for the release of an individual lot upon completion of all payments and performance of all the terms and provisions required of the purchaser under the purchase contract between Subdivider and such purchaser.

Use and Occupancy: Purchasers will be permitted to use and occupy their lot upon close of escrow and recordation of the deed.

Leasehold Offering: Will any of the property be leased? Yes No

Lease fee cost adjustment provisions are outlined in Article 5 of the Ground Lease. The lease fee is \$35 a month and included in the HOA dues. The amount may be recalculated every fifth year during the term of the lease, at the discretion of the lessor. If the lessor elects to recalculate the fee, it must a percentage change less than the Consumer Price Index for urban wage earners and clerical workers (“CPI-U”) for the Phoenix metropolitan area. Lessee will have 30 days after notice of a change in the Lease Fee amount to object. Lessor will maintain a notarized certification of the amount of the recalculated Lease Fee and the method by which it was determined.

Assignment and Sublease provisions are outlined in Article 11 of the Ground Lease. The lessee shall not assign, sublease, sell, or otherwise convey the lessee’s rights under the lease without prior written consent of the lessor.

THE PURCHASE CONTRACT IS A BINDING AGREEMENT. CONTRARY TO THE TERMS AND PROVISIONS OF THE CONTRACT, YOU MAY HAVE ADDITIONAL RIGHTS, REMEDIES AND WARRANTIES PROVIDED BY LAW. READ THOROUGHLY BEFORE SIGNING. IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE PRIOR TO COMMITMENT TO PURCHASE.

TAXES AND ASSESSMENTS

Real Property Taxes: The property was exempt from property taxes for the year 2019. Based on research with the City of Tempe and the Maricopa County Tax assessor, the projected property tax rate for an improved lot (lot with dwelling) is \$15.5927. Based on the above projected property tax rate and the average sales price of \$187,000.00, the projected property tax is \$2,478.46.

Special District Tax or Assessments: As disclosed in the Homeowners Association documents (i.e., CC&Rs, Articles of Incorporation and Bylaws), there may be other special assessments, taxes or fees to be paid by purchaser. Please refer to Homeowners Association documents for additional information.

AMOUNT OF TAXES AND ASSESSMENTS SET FORTH ABOVE ARE APPROXIMATE ONLY AND SUBJECT TO CHANGE.

YOU ARE ADVISED TO READ THE RECORDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, ARTICLES OF INCORPORATION AND BYLAWS FOR THIS SUBDIVISION TO DETERMINE THE RIGHTS OF LOT OWNERS TO PARTICIPATE IN THE CONTROL OF THE PROPERTY OWNERS’ ASSOCIATION AND TO DETERMINE THE RIGHTS, DUTIES AND LIMITATIONS OF OWNERS IN AND TO USE OF THEIR LOT. FURTHER, YOU SHOULD DETERMINE FOR YOURSELF IF SUBDIVIDER’S ARRANGEMENTS AND PLANS FOR THE PAYMENT OF ASSESSMENTS ON UNSOLD LOTS WILL BE SUFFICIENT TO FULFILL THE NEEDS, DEMANDS AND FINANCIAL OBLIGATIONS OF THE ASSOCIATION, AS SET FORTH IN THE DECLARATION AND BYLAWS.

EXHIBIT "A"

1. The property was exempt from property taxes for the year 2019.
2. The liabilities and obligations imposed upon said land by reason of: (a) inclusion thereof within the boundaries of the Salt River Project Agricultural Improvement and Power District; (b) membership of the owner thereof in the Salt River Valley Water Users' Association, an Arizona corporation and (c) the terms of any Water Right Application made under the reclamation laws of the United States for the purpose of obtaining water rights for said land.
3. Easements, restrictions, reservations, conditions and set-back lines as set forth on the plat recorded as Book 41 of Maps, Page 35, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
4. Easements, restrictions, reservations, conditions and set-back lines as set forth on the plat recorded as Book 1503 of Maps, Page 48, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
5. Covenants, conditions and restrictions in the document recorded as _____ of Official Records. but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes.
6. An easement for right of way and incidental purposes, recorded as 91-0277136 and a Grant and Assignment recorded as 92-0581774 of Official Records.

(Affects Lots 3 through 9)
7. All matters as set forth in Record of Survey, recorded as Book 1417 of Maps, Page 15 and Amended in Book 1428 of Maps, Page 17.
8. The terms, conditions and provisions contained in the document entitled "Development and Disposition Agreement for Newtown Tiny Home" recorded January 29, 2020 as 2020-075784 of Official Records.
9. Water rights, claims or title to water, whether or not shown by the public records.

10. Deed of Trust to secure an indebtedness of \$(not shown), and any other amounts or obligations secured thereby, recorded January 29, 2020 as 2020-077898 of Official Records.

Dated:	December 17, 2019
Trustor:	Newtown Community Development Corp., an Arizona non profit corporation
Trustee:	Great American Title Agency, Inc.
Beneficiary:	City of Tempe, an Arizona municipal corporation

NOTE: There are no further matters of record concerning this subdivision through the date of this report.

**SECTION V. SUBDIVISION DISCLOSURE REPORT
QUESTIONNAIRE/WORKSHEET**

1. Complete name of subdivision, as shown in the Dedication of the recorded map: **Tempe Micro Estates**

2. Marketing or promotional name, if different from question 1: **None**

3. List the lots or units included in the application: **Lots 1 through 13, inclusive.**

4. APPLICANT (Subdivider):
 - a. Name(s): **Newtown Community Development Corporation**
 - b. Address: **2106 E. Apache Boulevard, Suite 112, Tempe, Arizona 85281**
 - c. Telephone: **(480) 517-1589** Fax: **(480) 517-1490**
 - d. Email Address: **david@newtowncdc.org**

5. SUBDIVISION MAP:
 - a. Recorded in Book **1503**, Page **13**, Maricopa County, State of **Arizona** on **January 15, 2020**.
 - b. Gross acreage in entire subdivision: **approximately 0.67 gross acres.**
 - c. Specify number of lots, units, parcels and/or tracts within entire subdivision: **It has been divided into 13 lots and 1 Tract (Tract A). Lot boundaries will be corner stakes and radii.**

6. SUBDIVISION LOCATION
 - a. City, County and State: **City of Tempe, Maricopa County, State of Arizona**
 - b. Address or Street location: **The subdivision is located south of Spence Avenue at Rita Lane.**
 - c. If outside a city or town, miles and directions from the nearest city or town: **N/A**
 - d. Driving directions to the subdivision: **Take the I-10 east to the Loop 101, then east on the Loop 101 to Scottsdale Road, go south on Scottsdale Road to Spence Avenue, then east on Spence Avenue to Rita Lane, then south on Rita Lane into subdivision.**

7. UTILITY AND SERVICE PROVIDER CONTACT INFORMATION

- a. State name, telephone number and website of company which will provide service for the following:

Electric: **Arizona Public Service (APS), (602) 371-7171, website: www.aps.com.**

Telephone: **Cox Communications, (623) 594-1000 or (866) 867-7644, website: www.cox.com.**

Cable: **Cox Communications, (623) 594-1000 or (866) 867-7644, website: www.cox.com.**

Internet/Fiber Optic: **Cox Communications, (623) 594-1000 or (866) 867-7644, website: www.cox.com.**

Natural Gas: **Subdivider advises that natural gas is not available to the subdivision.**

Water: **City of Tempe, (480) 350-8361, website: www.tempe.gov.**

Sewer: **City of Tempe, (480) 350-8361, website: www.tempe.gov.**

Garbage Services: **Republic Services, (602) 237-2078, website: www.republicservices.com.**

- b. Where are present facilities in relation to this subdivision? (Distance from farthest lot included in the application):

Electric: **To the lot line.**

Telephone: **To the lot line.**

Cable: **To the lot line.**

Internet/Fiber Optic: **To the lot line.**

Natural Gas: **Subdivider advises that natural gas is not available to the subdivision.**

Water: **To the lot line.**

Sewer: **To the lot line.**

8. UTILITY AVAILABILITY

- a. Are electric facilities available to this subdivision? Yes No
- b. Are street light facilities available within this subdivision? Yes No
- c. Are telephone facilities available to this subdivision? Yes No
- d. Are cable facilities available to this subdivision? Yes No
- e. Are Internet/fiber optic facilities available to this subdivision?
 Yes No
- f. Are sewer facilities available to this subdivision? Yes No
- g. Are natural gas facilities available to this subdivision? Yes No

May bottled propane gas be used? ¹ Yes No

If yes, see footnote.

h. Is a domestic water supply available to this subdivision? Yes No

Will the water be supplied by a public water system, as defined by A.R.S. §49-352?

Yes No If no, see **Exhibit A, No. 1** and **Exhibit B, No. 1**

i. Will fire hydrants be installed? Yes No

If yes, indicate when installation is anticipated (month-day-year). **June 30, 2021**

j. State whether sewage collection, treatment and disposal will be provided by a municipality, improvement district, public utility, private company, individual on-site wastewater treatment system (septic tank system etc.) or other:² **Municipality**

If no individual on-site wastewater treatment system will be used, see **Exhibit B, No. 2**.

k. Is the sewer treatment plant for this subdivision adequate to handle the addition of these lots³? Yes No If no, see **Exhibit B, No. 3**.

l. Are flood protection or drainage facilities available within this subdivision?

Yes No

If yes, describe: **typical street drainage**

m. If located in a Master Planned Community, see **Exhibit B, No. 4**.

9. RESPONSIBLE PARTY FOR FACILITIES TO LOT LINE

a. Electric Facilities: **Subdivider**

b. Street Lights: **Subdivider**

c. Telephone: **Subdivider**

d. Cable: **Subdivider**

e. Internet/fiber optic: **Subdivider**

f. Sewer: **Subdivider**

g. Natural Gas: **Subdivider advises that natural gas is not available to the subdivision.**

h. Water: **Subdivider**

¹ If propane gas is to be used, provide letter from supplier stating they will provide service to this subdivision. Further, supplier's letter must describe all requirements to be met and costs to be paid by lot purchasers in order to receive service.

² ⁴ Must be in conformance with the findings and requirements of the Arizona Department of Environmental Quality ADEQ and the Arizona Corporation Commission (ACC). You are advised to confirm that the sewer provider possesses a Certificate of Convenience and Necessity (CC&N) from the AFF, if required. Failure to comply with the requirements of ADEQ and ACC will cause delays in processing the application. Contact the Engineering Review Department at ADEQ (602-771-4677) or the Utilities Division of the ACC (602-542-4251).

- i) If the water provider is a public service corporation, does it possess a Certificate of Convenience and Necessity from the Arizona Corporation Commission allowing it to provide water to this subdivision? Yes No

If no, explain: **Not Applicable**

- ii) What is the compliance status of the water provider with the Arizona Department of Environmental Quality as of the date of application? **In compliance**

If not in compliance, provide an explanation: **Not Applicable**

g. Sewer: **Subdivider**

- h. Flood and Drainage: If the City or County is responsible for maintenance, when will the facilities be accepted for maintenance? **Not Applicable**

10. ESTIMATED COMPLETION FOR FACILITIES TO LOT LINE ⁴ (MONTH-DAY-YEAR)

a. Electricity: **June 30, 2021**

- i) If conduit only, explain how and when facilities will be completed and who is responsible for the costs: **Not Applicable**
- ii) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service i.e. current service charges, current hook-up fees, current turn-on fees, meter fees, wire pulling through conduit, etc? **Purchaser's cost to receive service includes a service activation fee of \$25.00, plus tax. A security deposit may be required. Deposit amounts are based on usage from the new address. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change, please contact the utility provider for further details.**

b. Street Lights: **June 30, 2021**

- i) Who pays for the electricity? **Costs to purchasers for maintenance are included in the Homeowners Association assessments.**
- ii) Estimated costs lot purchasers will be required to pay toward electricity: **Costs to purchasers for maintenance are included in the Homeowners Association assessments.**

c. Telephone: **June 30, 2021**

- i) If conduit only, explain how and when facilities will be completed and who is responsible for the costs: **Developer will provide trench and service providers will install conduit within subdivision. Wire from junction box to house will be installed by service provider upon request from homebuyer. Service provider is also responsible for installing any wire and/or conduit required to the boundary of the subdivision. At the time of close of escrow of any lot, developer will have**

⁴ If the facilities listed in question 10 are to be completed for specific lots in phases, describe your phased schedule of completion giving the lots in each phase and the estimated completion dates on a separate sheet. Inspections will be made to verify completion in accordance with your schedule of completion.

installed all conduit on that lot and will have signed agreement with Service Provider. Developer has no control over the timing of when Service Provider will complete its portion of the wire and/or conduit and, therefore, developer has no control over the availability of telephone service.

- ii) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service i.e. current service charges, current hook-up fees, current turn-on fees, meter fees, wire pulling through conduit, etc.? **Purchaser's cost to receive service may include a one-time installation fee of \$75.00 and a credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.**

d. Cable: **June 30, 2021**

- i) If conduit only, explain how and when facilities will be completed and who is responsible for the costs: **Developer will provide trench and service providers will install conduit within subdivision. Wire from junction box to house will be installed by service provider upon request from homebuyer. Service provider is also responsible for installing any wire and/or conduit required to the boundary of the subdivision. At the time of close of escrow of any lot, developer will have installed all conduit on that lot and will have signed agreement with Service Provider. Developer has no control over the timing of when Service Provider will complete its portion of the wire and/or conduit and, therefore, developer has no control over the availability of cable service.**

- ii) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service i.e. current service charges, current hook-up fees, current turn-on fees, meter fees, wire pulling through conduit, etc.? **Purchasers will be required to pay an installation fee of \$20.00 (self-connect) or \$75.00 (professional connect). A credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.**

e. Internet/Fiber Optic: **June 30, 2021**

- i) If conduit only, explain how and when facilities will be completed and who is responsible for the costs: **Developer will provide trench and service providers will install conduit within subdivision. Wire from junction box to house will be installed by service provider upon request from homebuyer. Service provider is also responsible for installing any wire and/or conduit required to the boundary of the subdivision. At the time of close of escrow of any lot, developer will have installed all conduit on that lot and will have signed agreement with Service Provider. Developer has no control over the timing of when Service Provider**

will complete its portion of the wire and/or conduit and, therefore, developer has no control over the availability of internet/fiber optic service.

- ii) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service, i.e., current service charges, current hook-up fees, current turn-on fees, meter fees, wire pulling through conduit, etc.? **For Purchasers will be required to pay an installation fee of \$20.00 (self-connect) or \$75.00 (professional connect). A credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.**

f. Natural Gas. **Subdivider advises that natural gas is not available to the subdivision.**

- i) If conduit only, explain how and when facilities will be completed and who is responsible for the costs: **Not Applicable**
- ii) Upon completion of facilities, what other costs or requirements exist before lot purchasers can receive service i.e. current service charges, current hook-up fees, meter fees, current turn-on fees, etc? **Not Applicable**

g. Water: **June 30, 2021**

- i) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service i.e. service charges, hook-up fees, turn-on fees, meter fees, development fees, etc? **Cost to purchasers to receive service is included in the Homeowners Association assessments.**
- ii) Who is or will be responsible for maintenance of the water lines **within** this subdivision other than from lot line to dwelling? **City of Tempe**
- iii) Who is or will be responsible for maintenance of the water lines outside this subdivision? **City of Tempe**

h. Flood and Drainage: **June 30, 2021**

11. ESTIMATED COST LOT PURCHASER WILL HAVE TO PAY FOR COMPLETION OF THE FOLLOWING UTILITIES:

- a. Electricity
 - i) to lot line: **Cost to complete facilities to the lot line is included in the purchase price.**
 - ii) from lot line to dwelling: **Cost to complete facilities from lot line to dwelling is included in the purchase price.**
- b. Telephone

- i) to lot line: **Cost to complete facilities to the lot line is included in the purchase price.**
 - ii) from lot line to dwelling: **Cost to complete facilities from lot line to dwelling is included in the purchase price.**
- c. Cable
 - i) to lot line: **Cost to complete facilities to the lot line is included in the purchase price.**
 - ii) from lot line to dwelling: **Cost to complete facilities from lot line to dwelling is included in the purchase price.**
- d. Internet/Fiber Optic
 - i) to lot line: **Cost to complete facilities to the lot line is included in the purchase price.**
 - ii) from lot line to dwelling: **Cost to complete facilities from lot line to dwelling is included in the purchase price.**
- e. Natural Gas
 - i) to lot line: **Subdivider advises that natural gas is not available to the subdivision.**
 - ii) from lot line to dwelling: **Subdivider advises that natural gas is not available to the subdivision.**
- f. Sewer
 - i) to lot line: **Cost to complete facilities to the lot line is included in the purchase price.**
 - ii) from lot line to dwelling: **Cost to complete facilities from lot line to dwelling is included in the purchase price.**
- g. Water
 - i) to lot line: **Cost to complete facilities to the lot line is included in the purchase price.**
 - ii) from lot line to dwelling: **Cost to complete facilities from lot line to dwelling is included in the purchase price.**
- h. Flood and Drainage
 - i) maintenance: **Maintenance provided by the Homeowners Association.**

12. ACCESS STREETS AND ROADS ⁵

⁵ Support letters from a title insurance company and professional engineer may be required to demonstrate permanent and legal access to the subdivision. For more information, ctrl+click [here](#) to view A.A.C. R4-28-A1207 or visit the Arizona Department of Real Estate website at <http://www.azre.gov/Dev/Documents/R4-28-A1207.pdf>.

- a. Is legal and permanent access provided to the subdivision and lots within the subdivision, over terrain, which may be traversed by conventional 2-wheel drive automobiles and emergency vehicles? Yes No
- b. Exterior street(s) providing access to this subdivision from a dedicated federal, state, or city roadway.
- i) Is exterior street(s) public or private? **Public**
 - ii) If private, describe what provisions have been made to assure purchasers of a legal right to use the private access street(s). **Not Applicable**
 - iii) Is exterior street(s) complete? ⁶ Yes No
 - iv) Who is responsible for completion? **N/A – Complete**
 - v) Estimated completion date? **N/A – Complete** (Month-Day-Year)
 - vi) What type of surfacing? **Asphalt Paved**
 - vii) Estimated costs lot purchaser will be required to pay toward street completion? **N/A – Complete**
 - viii) Who is responsible for street maintenance? **City of Tempe**
 - ix) If the City or County is to maintain the street(s), when will it be accepted for maintenance? **Previously accepted**
 - x) Estimated costs lot purchaser will be required to pay toward street maintenance? **Costs to purchasers for maintenance will be included in the property taxes.**
- c. Interior street(s) within this subdivision:
- i) Are interior streets within this subdivision public or private? **private**
 - ii) Are the interior streets complete? Yes No
 - iii) Who is responsible for completion? **Subdivider**
 - iv) Estimated completion date? **June 30, 2021** (Month-Day-Year)
 - v) What type of surfacing? **Asphalt Paved Parking Lot**
 - vi) Estimated costs lot purchaser will be required to pay toward street completion? **Cost to complete is included in the purchase price.**
 - vii) Who is responsible for street maintenance? **Homeowners Association**
 - viii) If the City or County is to maintain the interior streets, when will they be accepted for maintenance? **Not Applicable**
 - ix) Estimated costs lot purchaser will be required to pay toward street maintenance? **Costs to purchasers for maintenance will be included in the Homeowners Association assessments.**

⁶ Streets are not considered complete if any improvements to existing exterior streets are to be completed by subdivider or others.

13. LOCAL SCHOOLS AND SERVICES

a. Schools:

- i) What is the current location of and distance to the nearest public elementary, junior, and high schools available for the attendance of school age pupils residing in the subdivision?
 - (1) Elementary **Curry Elementary School (K-5), 1974 E. Meadow Drive, Tempe, Arizona 85282, (480) 967-8336, approximately 1 ¼ miles southeast of the subdivision.**
 - (2) Junior High **Connolly Middle School (6-8), 2002 E. Concorde Drive, Tempe, Arizona 85282, (480) 967-8933, approximately 1 ½ miles southeast of the subdivision.**
 - (3) High School **McClintock High School (9-12), 1830 E. Del Rio Drive, Tempe, Arizona 85282, (480) 839-4222, approximately 1 ¼ miles southeast of the subdivision.**

NOTE: Purchasers are advised that school boundaries, school assignments and school bus transportation are subject to change. Prospective Purchasers should contact the Tempe Elementary School District #3 at (480) 730-7100 or visit their website at www.tempeschools.org and Tempe Union High School District at (480) 839-0292 or visit their website at www.tempeunion.org for verification of schools, the current location of schools and bus service. Additional information regarding schools and districts can be found at the following websites: www.greatschools.net and www.azed.gov.

- ii) What transportation is available i.e. school bus or other? **SCHOOL BUS TRANSPORTATION WILL ONLY BE PROVIDED TO STUDENTS RESIDING OUTSIDE THE SCHOOLS DESIGNATED WALKING DISTANCE. PURCHASERS SHOULD CONTACT THE SCHOOLS TO DETERMINE THE AVAILABILITY OF SCHOOL BUS TRANSPORTATION.**
- iii) If not listed above, give the type and location of any other school located within a ½ mile radius of the exterior boundaries of the subdivision. **Not Applicable**

b. Services:

- i) Shopping Facilities. What is the current location and distance from the subdivision of the nearest community shopping area where food, drink and medical supplies can be purchased? **Safeway, 926 E. Broadway Road, Tempe, Arizona, approximately ½ mile southwest of the subdivision.**
- ii) Public Transportation: State type, provider, phone number, web site and location and distance to provider servicing the subdivision.

Valley Metro Transit System Bus Stops are at the following locations:

- Free Valley Metro Bus Circulator Flag Zone located at Spence and Rita Lane, approximately 0.08 miles (450 feet)
- Bus Stop located at Rural Rd & Spence Ave, approximately 0.25 miles
- Valley Metro Light Rail, Dorsey & Apache Station, approximately 0.32 miles
- [Under construction] Valley Metro Streetcar Stop Rural & Apache, approximately 0.30 miles

NOTE: Bus routes and schedules are subject to change. For additional information, please contact the Valley Metro Transit System at (602) 253-5000, or visit the website at www.valleymetro.org.

iii) Medical Facilities (Emergency Treatment): State type, provider, location and distance from the subdivision: **Tempe St. Luke's Hospital, 1500 S. Mill Avenue, Tempe, Arizona, approximately 1 mile west of subdivision.**

iv) Emergency:

(1) Fire Protection:

(a) Is fire protection available to the subdivision? Yes No

If yes, state name of provider and cost to lot purchaser: **Provided by the City of Tempe Fire Department, with costs to purchasers included in the property taxes.**

(b) Is the Subdivision in a 911-service area which provides fire protection?
 Yes No If no, provide further information below.

(c) If not in a 911-service area, please answer:

(i). Is fire protection available to the subdivision? Yes No

(ii). If yes, state name of provider and cost to lot purchaser: **Not Applicable**

(2) Ambulance Services:

(a) Is ambulance service available to the subdivision? Yes No

If yes, provide name, address and telephone number of ambulance service(s) available. **Ambulance service is available by dialing 911.**

(b) Is the Subdivision in a 911-service area which provides ambulance service?
 Yes No If no, provide further information below.

(c) If not in a 911-service area, please answer:

(i) Is ambulance service available to the subdivision? Yes No

(ii) If yes, provide name, address and telephone number of ambulance service(s) available. **Not Applicable**

(3) Police Service:

(a) Is police service available to the subdivision? Yes No

If yes, state name of provider: **Provided by the City of Tempe Police Department.**

(b) Is the Subdivision in a 911-service area which provides fire protection, ambulance service and police service? Yes No If the answer to this question is No, please provide further information below.

(c) If not in a 911-service area, please answer:

(i) Is police service available to the subdivision? Yes No

(ii) If yes, state name of provider: **Not Applicable**

v) Refuse Collection: Have provisions been made for refuse collection? Yes No

If yes, state name of service provider and cost to lot purchaser: **Republic Services, (602) 237-2078, website: www.republicservices.com. Cost to purchasers to receive service is included in the Homeowners Association assessments.**

If no, what must lot purchaser do to dispose of refuse? Include location of nearest authorized transfer station, landfill, dump, etc., and all costs involved. **Not Applicable**

14. ADDITIONAL SUBDIVISION FACILITIES:

- a. List all other subdivision facilities within this subdivision including, but not limited to, all common, community and/or recreational facilities. **common room**
- b. Who is responsible for the completion of the above facilities? **Subdivider**
- c. Estimated completion date for the above facilities? **June 30, 2021** (Month-Day-Year)
- d. Estimated costs lot purchaser will be required to pay toward completion of the facilities? **Cost to complete facilities are included in the purchase price.**
- e. Who is responsible for maintenance of the facilities? **Homeowners Association**
- f. Estimated costs lot purchaser will be required to pay toward maintenance of the facilities? **Costs to purchasers for maintenance are included in the Homeowners' Association fees.**

15. ASSURANCE FOR COMPLETION AND MAINTENANCE OF SUBDIVISION AND MASTER PLANNED COMMUNITY(IES) FACILITIES: ⁷

- a. What arrangements have been made to assure the completion and delivery of the following facilities:

⁷ Copies of documents, agreements or statements demonstrating that adequate financial or other arrangements acceptable to the Commissioner have been made for completion of all facilities are required. For more information, ctrl+click [here](#) to view A.A.C. R4-28-A1211 or visit the Arizona Department of Real Estate website at <http://www.azre.gov/Dev/Documents/R4-28-A1211.pdf> for a list of acceptable financial assurance options. (See **Section III**, No. 21).

- i) Utility Availability **Subdivider has provided a Certificate of Occupancy Agreement with the City of Tempe to assure completion of all subdivision improvements which includes the private parking lot.**
 - ii) Street and Road Access **Subdivider has provided a Certificate of Occupancy Agreement with the City of Tempe to assure completion of all subdivision improvements which includes the private parking lot.**
 - iii) Other Subdivision Facilities, including, but not limited to all common, community and/or recreational facilities **Subdivider has provided a Certificate of Occupancy Agreement with the City of Tempe to assure completion of all subdivision improvements which includes the private parking lot.**
 - iv) Individual on-site Wastewater Treatment System **Not Applicable**
- b. What arrangements have been made to assure the continued maintenance of the following facilities:
- i) Utility Availability **Utility companies to maintain their respective utilities. The City of Tempe to maintain public water and public sewer system.**
 - ii) Street and Road Access **The City of Tempe to maintain public streets.**
 - iii) Other Subdivision Facilities, including, but not limited to all common, community and/or recreational facilities **CC&Rs provide for the Homeowners' Association to maintain all common areas and private parking lot.**
 - iv) Individual on-site Wastewater Treatment System **Not Applicable**

16. PROPERTY OWNER'S ASSOCIATIONS: ⁸

- a. Name of the Association, if any: **Tempe Micro Estates Homeowners Association**
- b. Name of Master Property Owners Association(s) if any: **Not Applicable**
- c. Property Owners will be required to pay assessments in the amount of **\$135.00** per month.
- d. Property Owners will be required to pay master association assessments in the amount of **\$N/A** per **N/A**.
- e. Is the Association(s) legally formed and operational? Yes No
- f. When and under what conditions, if any, will control of the association(s) be turned over to lot purchasers?

Control of the Association will be turned over to Lot Purchasers upon the happening of the first to occur of the following:

- a. **The date upon which Declarant no longer owns any improvements on any of the lots of the Project, or**
- b. **The date that twenty (20) years after the date this Declaration is recorded.**

⁸ If property owners associations are to be provided, they must be legally formed and operational prior to issuance of the public report. A statement from an attorney, licensed in the state where the property is located, that the Articles of Incorporation and Bylaws are final and in effect may be required.

- g. When and under what conditions, if any, will title to the common areas be transferred to the association? **Title to the common areas will be leased to the Homeowners Association upon completion of construction.**
- h. Are the common areas subject to any lien or encumbrance? Yes No
If yes, explain how purchasers' use and enjoyment of common areas will be protected in the event of default: **Not Applicable**
- i. Are all lot owners required to be members of the association(s)? Yes No
If no, explain: **Not Applicable**
- j. Will non-members be liable for payments to the association(s)? Yes No
If yes, explain: **Not Applicable**
- k. Will non-members be contractually authorized to use any association(s) amenities?
 Yes No If yes, explain: **Not Applicable**

17. SUBDIVISION CHARACTERISTICS AND ADJACENT LANDS:

- a. Describe the physical characteristics of the subdivision
- i) Topography **Land is level.**
- ii) Natural Hazards **None**
- iii) Flooding & Drainage
- (1) Flooding or drainage problems? Yes No
- (2) Near flood structure or dam? Yes No
- iv) Soil Conditions (subsidence or expansive soils) **Subdivider advises that the soils have low expansive potential.**
- v) Geological Conditions (fissures, sink holes, etc.) **None**
- vi) Environmental Conditions
- (1) Soil remediation **None**
- (2) Within a FEDERAL SUPERFUND or STATE WQARF SITE? Yes No
- b. Provide the current zoning codes and their definitions for adjacent lands, including American Indian Reservation Lands.⁹
- North:** R-4 (Multi-Family Residential General)
West: R-4 (Multi-Family Residential General)
East: R-1 PAD (Single-Family Residential Planned Area Development)
South: Union Pacific Railroad
South: R-3 – (Multi-Family Residential Limited)

⁹ Information on the American Indian Reservation Lands may be obtained using the Intertribal Council of Arizona (ITCA) website, www.itcaonline.com/tribes.html

NOTE: Owners of the adjacent land described above may seek to rezone their property, may seek zoning variances for their property or may modify their site plan within existing zoning. Consequently, no assurance can be given that the zoning or uses for the adjacent lands will not change from that described above. Purchasers should contact the City of Tempe Planning & Zoning Department at (480) 350-8331 or Maricopa County Planning & Development Department at (602) 506-3201 for up-to-date information.

- c. Describe existing and proposed land uses and conditions within, adjacent to and in the vicinity, such as apartments, schools, commercial development, churches, parks or other uses, including, but not limited to, any unusual safety factors and uses that may cause a nuisance or adversely affect lot owners within or near the subdivision such as shooting ranges, active or abandoned mines, freeways, sewer plants, railroads, canals, landfills, or any unusual or unpleasant odors, noises, pollutants, cultivation and related dust, agricultural burning, application of pesticides, irrigation and drainage, underground storage tanks, crop dusting fields, bombing test grounds or other effects: ¹⁰ **See attached**
- d. Is the subdivision located within 5 miles of an Indian reservation? Yes No

If yes, provide the tribal name and contact information of who to contact for information pertaining to tribal boundaries, land use, air quality and prohibitions of using tribal lands i.e. trespassing, dumping, archaeological laws, pot hunting and cultural resource laws.

Salt River-Pima-Maricopa Indian Community, approximately 1 ¾ miles northeast of the subdivision.

Salt River Pima-Maricopa Indian Community: Subdivider makes no representation or warranty with respect to future land uses on the Salt River Pima-Maricopa Indian Community nor as to any rights an adjacent property owner may have to protest or influence future land uses. Land use changes within the Salt River Pima-Maricopa Indian Community are not subject to mandatory public notice and hearing requirements and procedures that are common in many municipalities. Please contact the Salt River Pima-Maricopa Indian Community at 10005 East Osborn Road, Scottsdale, Arizona 85256, (480) 362-7740 or visit the website at www.srpmicnsn.gov.

See **Exhibit A, No. 2** for disclosure statement.

- e. For the benefit of the public health, safety and welfare, are there any gas pipelines within the boundaries of the subdivision or within 500 feet of the subdivision boundary?¹¹

¹⁰ When answering this question, the Department recommends that you research within 2 miles of the subdivision for unusual safety factors and 5 miles for factors that may cause a nuisance or adversely affect lot owners. Your disclosures should not be limited to those examples listed in the question.

¹¹ The intent of this question is to disclose hazardous liquid pipelines, propane pipelines and interstate gas pipelines. Having natural gas service available in the subdivision discloses that there exists natural gas infrastructure necessary

Yes No

If yes, describe: **Southwest Gas Corporation: Natural gas service is NOT available within the subdivision. However, as a result of natural gas facilities available to lots within the vicinity of the subdivision, major natural gas lines in the vicinity of this community are necessary in order to service the surrounding areas. For further information regarding natural gas lines, purchasers should contact Southwest Gas Corporation at (877) 860-6020 or log onto their website at www.swgas.com. Additional information may be obtained by contacting the Pipeline and Railroad Safety Department of the Arizona Corporation Commission at (602) 262-5601 or visit the Corporation Commission web site at www.azcc.gov/safety/pipeline.**

- f. Are there any existing or proposed high voltage power lines or any existing or proposed substations within the boundary of the subdivision or within ½ miles of the subdivision boundary? Yes No

If yes, provide a description including the voltage, geographical location in relation to the subdivision identifying roads if any, and state the utility responsible for the operation or construction of the transmission lines and/or substation including utility's contact information and website if available. **Not Applicable**

See also **Exhibit A, No. 3.**

18. SUBDIVISION USE AND RESTRICTIONS:

- a. Do you plan to sell or lease?
 Improved lots (includes condominiums) Unimproved lots
- b. What is the use (zoning) for which subdivision lots will be offered? **R-1 PAD Single-Family Residential (City of Tempe)**
- c. Is the subdivision or any lot(s) therein subject to adult occupancy or age restrictions?
 Yes No If yes, explain: **Not Applicable**
- If yes, are you in compliance with the Federal Fair Housing Amendments Act of 1988 and any amendments or additions thereof? Yes No
- d. State whether all or any portion of the subdivision is located in any open range or area in which livestock may roam at large under the laws of this State and what provisions, if any, have been made for the fencing of the subdivision to preclude livestock from roaming within the subdivision. **No open range.**
- e. Are any of the mineral rights reserved from the subdivision lots, or will they be?
 Yes No If yes, what will be the effect on lot owners if the mineral right holder exercises his rights to extract the minerals? **Not Applicable**

to provide service in the community. Information on the location of these hazardous liquids, propane and interstate natural gas pipelines may be available from the Utilities Division of the Arizona Corporation Commission or title searches from Title Companies. Further, project engineers inspecting the subdivided and surrounding lands may identify above ground pipeline markers.

- f. Give full disclosure of other conditions or provisions which may limit the use or occupancy of the property offered in the application. If none, so state: **As stated in the recorded Declaration of Covenants, Conditions and Restrictions and as stated in the Articles of Incorporation and Bylaws of the Homeowners' Association.**
- g. If a condominium, is the property a conversion from multifamily rental to condominiums? Yes No
- If yes, what is the date original construction was completed? **Not Applicable**

19. AIRPORTS:

a. Military Airports

- i) Is any portion of the subdivision located in territory in the vicinity of a military airport as defined in A.R.S. 28-8461? Yes No
- If yes, provide the name, location and distance from the subdivision. See also **Exhibit A, No. 4: Not Applicable**
- ii) Is any portion of the subdivision located in territory in the vicinity of an ancillary military facility as defined in A.R.S. 28-8461? Yes No If yes, provide the name, location and distance from the subdivision. See **Exhibit A, No. 5: Not Applicable**
- iii) Is any portion of the subdivision located under a military training route as defined in A.R.S. 28-8461 and delineated in the military training route map prepared pursuant to A.R.S. 37-102? Yes No If yes, provide the name, location and distance from the subdivision. See also **Exhibit A, No. 6: Not Applicable**
- iv) Is any portion of the subdivision located under restricted air space as delineated in the Restricted Airspace Map prepared pursuant to A.R.S. 37-102? Yes No
- If yes, provide the name, location and distance from the subdivision. See also **Exhibit A, No. 7: Not Applicable**
- v) Is any portion of the subdivision located in a high noise or accident potential zone as defined in A.R.S. 28-8461? Yes No If yes, explain. See also **Exhibit A, No. 8: Not Applicable**

b. Public Airports

- i) Is any portion of the subdivision located in territory in the vicinity of a public airport as defined in A.R.S. 28-8486? Yes No If yes, provide the name, location and distance from the subdivision: See also **Exhibit A, No. 9.**

Phoenix Sky Harbor International Airport is located at 3400 East Sky Harbor Boulevard, Phoenix, Arizona, located approximately 4 miles northwest of the subdivision.

SUBDIVISION IS LOCATED WITHIN TERRITORY IN THE VICINITY OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT. FLIGHTS MAY PRODUCE AIRCRAFT NOISE AS A RESULT OF FLIGHT OPERATIONS.

- ii) If not provided above, provide the name, location and distance from the subdivision of the nearest public or private airport. **Not Applicable**

20. TITLE AND ENCUMBRANCES:

- a. Title to the property is vested with: **City of Tempe, an Arizona municipal corporation**
- b. If title is not vested with the applicant, explain applicant's interest in the property:
Subdivider's interest in this subdivision is evidenced by Development and Disposition Agreement with the City of Tempe recorded at Document No. 2020-75784.

Subdivider's only interest in the Subdivision is a right to purchase Lots pursuant to the described Development and Disposition Agreement. The purchasers have no assurance that Subdivider will purchase all the Subdivision Lots.
- c. Are there any mortgages, deeds of trust, liens or other encumbrances recorded against the property? Yes No If yes, list and describe arrangements for protecting the interest of the purchaser or lessee in the event of a default. Further, describe arrangements for releasing individual lots or units from any blanket lien or encumbrance: **Subdivider has advised that arrangements have been made with the lender in the aforementioned deeds of trust for the release of an individual lot upon completion of all payments and performance of all the terms and provisions required of the purchaser under the purchase contract between Subdivider and such purchaser.**
- d. Are there any unrecorded liens or encumbrances against the property? Yes No If yes, explain. **Not Applicable**

21. SALES ¹²

- a. Describe how sales will be made and the manner by which title right or other interest contracted for is to be conveyed to purchaser? **Your vested interest/ownership interest in the improvements to the property will be evidenced by the owner delivering a recorded warranty deed and recorded ground lease to you and by your signing a Promissory Note and Mortgage or Deed of Trust for the unpaid principal balance, if any. You should read these documents before signing them.**

When does purchaser take title? **Upon close of escrow and recordation of the deed.**
- b. Where will purchaser's deposit and earnest monies be deposited and held? **Cash sales are permitted. Purchaser's deposits and earnest monies will be deposited into a neutral escrow account and cannot be used by Seller until the close of escrow.**

¹² Sales documents must contain all contract disclosures required by rule and statute. Your answers must be in conformance with the documents submitted under **Section III** No. 9.

- i) Can such monies be used prior to close of escrow? Yes No
- ii) When and under what conditions will such monies be released? **Close of escrow.**
- c. When will lot purchaser be permitted to use and occupy his lot? **Purchasers will be permitted to use and occupy their lot upon close of escrow and recordation of the deed.**
- d. Will purchaser receive title free and clear of all liens? Yes No
If no, explain: **Not Applicable**
- e. Will any of the property be leased? Yes No

- i) If yes, describe any provision for increase of rental payments during the term of the lease.

Lease fee cost adjustment provisions are outlined in Article 5 of the Ground Lease. The lease fee is \$35 a month and included in the HOA dues. The amount may be recalculated every fifth year during the term of the lease, at the discretion of the lessor. If the lessor elects to recalculate the fee, it must a percentage change less than the Consumer Price Index for urban wage earners and clerical workers (“CPI-U”) for the Phoenix metropolitan area. Lessee will have 30 days after notice of a change in the Lease Fee amount to object. Lessor will maintain a notarized certification of the amount of the recalculated Lease Fee and the method by which it was determined.

- ii) If yes, are there any provisions in the lease prohibiting assignment and/or subletting?

Assignment and Sublease provisions are outlined in Article 11 of the Ground Lease. The lessee shall not assign, sublease, sell, or otherwise convey the lessee’s rights under the lease without prior written consent of the lessor.

- iii) Does the lease prohibit the lessee from mortgaging or otherwise encumbering the leasehold? Yes No

- iv) Will the lessee be permitted to remove improvements when the lease expires?
 Yes No

- f. Name, address and telephone number of Arizona broker who will be responsible for sales.¹³ If none, explain why.

**Jonathan Miller, Realty Executives
480.296.6683
23415 N. Scottsdale Road Suite G-101, Scottsdale, AZ 85255**

¹³ If subdivider is a broker or a salesperson, Commissioner’s Rule R4-28-1101 (E) provides, “A real estate salesperson or broker shall not act directly or indirectly in a transaction without informing the other parties in the transaction, in writing and before the parties enter any binding agreement, of a present or prospective interest or conflict in the transaction, including that the (1) Salesperson or broker has a license and is acting as a principal; (2) Purchaser or seller is a member of the salesperson’s, broker’s, or designated broker’s immediate family; (3) Purchaser or seller is the salesperson’s or broker’s employing broker, or owns or is employed by the salesperson’s or broker’s employing broker; or (4) Salesperson or broker, or a member of the salesperson’s or broker’s immediate family, has a financial interest in the transaction other than the salesperson’s or broker’s receipt of compensation for the real estate services.”,

- g. Location of subdivision sales records. State of Arizona address at which records will be kept, name of custodian and telephone number.

David Crummey, Custodian
Newtown Community Development Corporation
2106 East Apache Blvd, Suite 112
Tempe, Arizona 85281
(480) 517-1589

- h. Are you now taking or do you intend to accept lot reservations? Yes No
- i. Have you obtained or do you plan to obtain a conditional sales exemption?
 Yes No

22. PROPERTY TAXES AND ASSESSMENTS:

- a. The property was exempt from property taxes for the year 2019. Based on research with the City of Tempe and the Maricopa County Tax assessor, the projected property tax rate for an improved lot (lot with dwelling) is **\$15.5927**. Based on the above projected property tax rate and the average sales price of **\$187,000.00**, the projected property tax is **\$2,478.46**.
- b. For the year **20N/A**, the estimated property tax for an unimproved lot without dwelling, based on an average sales price of **\$N/A**, is **\$N/A**.
- c. Are current real property taxes paid?¹⁴ Yes No
- d. Has a special assessment district been formed or proposed for the purpose of financing acquisition, construction, maintaining or operating improvements for the subdivision, or for the purpose of offering any other service? Yes No If yes, is the assessment included in the above estimated property tax? Yes No

23. CAGR D Fees: If the answer to either of the following questions is “yes”, include the Notice Confirmation of CAGR D Fee Payment from the Central Arizona Groundwater Replenishment District (CAGR D) confirming payment of all fees¹⁵.

- a. Is the property enrolled as a Member Land (ML) of the CAGR D pursuant to A.R.S. §48-3774? Yes No

¹⁴Delinquent property taxes that have been sold on a Certificate of Purchase must be redeemed by subdivider prior to issuance of the Public Report.

¹⁵ If the land has enrolled as Member Land of the Central Arizona Groundwater Replenishment District (CAGR D) pursuant to A.R.S. §48-3772 and 48-3774, or if the land will be served by a municipal water provider whose service area is currently enrolled as a Member Service Area of the CAGR D pursuant to A.R.S. §48-3772 and §48-3780, you must file an application for Fee Payment Notice with the CAGR D. Contact the CAGR D at (623) 869-2380 or visit the CAGR D at www.cagrd.com.

(i) If Yes, include CAGR D FPN#: **Not Applicable**.

- b. Will the property be served by a municipal provider whose service area is currently enrolled as a Member Service Area (MSA) of the CAGR D pursuant to A.R.S. §48-3780?
 Yes No

(i) If Yes, include CAGR D FPN#: **Not Applicable**.

24. INDIVIDUAL ON-SITE WASTEWATER TREATMENT SYSTEMS¹⁶

- a. Describe the type of individual on-site wastewater treatment system lot purchasers will be required to install: **Not Applicable**
- b. Describe all requirements and costs involved to install an operational individual on-site wastewater treatment system. Include all governmental licensing/permitting requirements and their costs; equipment, construction, and all other necessary costs, including the estimated annual operation and maintenance costs: **Not Applicable**
- c. If an operational individual on-site wastewater treatment system cannot be installed, will lot purchaser be offered a refund of the purchase price? Yes No If yes, explain any conditions or restrictions involving the refund. **Not Applicable**

¹⁶ Must be in conformance with the findings and requirements of the Arizona Department of Environmental Quality ADEQ and the Arizona Corporation Commission (ACC). You are advised to confirm that the sewer provider possesses a Certificate of Convenience and Necessity (CC&N) from the AFF, if required. Failure to comply with the requirements of ADEQ and ACC will cause delays in processing the application. Contact the Engineering Review Department at ADEQ (602-771-4677) or the Utilities Division of the ACC (602-542-4251).

SECTION VI. SALES CONTRACT DISCLOSURES

Listed below are standard disclosure statements that must be included in all real estate sales contracts or leases, in addition to information related to contract disclosures. Review and include the disclosures as they apply to this application. For more information, ctrl+click [here](#) to view A.A.C. R4-28-803 or visit the Arizona Department of Real Estate website at <http://www.azre.gov/Dev/Documents/R4-28-803.pdf>

1. Contract Disclosures

The following language must be included and annotated above the signature portion of any real estate sales contract or lease and shall be typed in large or bold type font:

THE DEVELOPER SHALL GIVE A PROSPECTIVE PURCHASER A COPY OF THE PUBLIC REPORT AND AN OPPORTUNITY TO READ AND REVIEW IT BEFORE THE PROSPECTIVE PURCHASER SIGNS THIS DOCUMENT.

2. Rescission of Contract

- a. The following language must be included and annotated above the signature portion of any real estate sales contract or lease for an unimproved (vacant) lot or parcel and shall be typed in large or bold type font:

THE PURCHASER OR LESSEE HAS THE LEGAL RIGHT TO RESCIND (CANCEL) THIS AGREEMENT WITHOUT CAUSE OR REASON OF ANY KIND AND TO THE RETURN OF ANY MONEY OR OTHER CONSIDERATION BY SENDING OR DELIVERING A WRITTEN NOTICE OF RESCISSION TO THE SELLER OR LESSOR BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE DAY THE PURCHASER OR LESSEE EXECUTED THE AGREEMENT. IF THE PURCHASER OR LESSEE DOES NOT INSPECT THE LOT OR PARCEL BEFORE THE EXECUTION OF THE AGREEMENT, THE PURCHASER OR LESSEE SHALL HAVE SIX MONTHS TO INSPECT THE LOT OR PARCEL AND AT THE TIME OF INSPECTION SHALL HAVE THE RIGHT TO UNILATERALLY RESCIND THE AGREEMENT.

- b. An adequate opportunity to exercise the seven (7) day right of rescission shall be provided by disclosing conspicuously the complete current name and address of seller on the face of all agreements and contracts.
3. Any real estate sales contract or lease shall conspicuously disclose the nature of the document at or near the top of the document.
 4. Any real estate sales contract or lease of a lot in a subdivision where down payment, earnest money deposit or other advanced money, if any, is paid directly to the seller and not placed in a neutral escrow depository shall conspicuously disclose this fact within the document, and the purchaser shall sign or initial this provision indicating approval in the space adjacent to or directly below the disclosure in the real estate sales contract. The following disclosure shall be written in large or bold print and shall be included in the Subdivision Disclosure Report and real estate sales contract:

PROSPECTIVE PURCHASERS ARE ADVISED THAT EARNEST MONEY DEPOSITS, DOWN PAYMENTS AND OTHER ADVANCED MONEY WILL NOT BE PLACED IN A NEUTRAL ESCROW. THIS MONEY WILL BE PAID DIRECTLY TO THE SELLER AND MAY BE USED BY THE SELLER. THIS MEANS THE PURCHASER ASSUMES A RISK OF LOSING THE MONEY IF THE SELLER IS UNABLE OR UNWILLING TO PERFORM UNDER THE TERMS OF THE SALES CONTRACT.

5. In areas outside of groundwater active management areas established pursuant to Title 45, Chapter 45, Article 2, if the Director of Water Resources, pursuant to §45-108, reports an inadequate onsite supply of water to meet the needs projected by the developer or if no water is available, the State Real Estate Commissioner shall require that all promotional material and real estate sales contracts for lots in subdivisions approved by the Commissioner adequately display the Director of Water Resources' report or the developer's brief summary of the report as approved by the Commissioner on the proposed water supply for the subdivision.
6. For applications seeking HUD/OILSR Certification, see the HUD Supplement to the application for HUD's rescission language and additional contract disclosures required by HUD.
7. For additional information relating to sales and contract disclosures, see A.R.S. [§32-2185.01](#), [§32-2185-06](#) and ctrl+click [here](#) to view A.A.C. R4-28-804 or visit the Arizona Department of Real Estate website at <http://www.azre.gov/Dev/Documents/R4-28-804.pdf>.

EXHIBIT A. SECTION V. QUESTIONNAIRE/WORKSHEET

Notes and Disclaimers:

1. Section V 8 f

If the property is served by a water supply other than a public water system, as defined by A.R.S. §49-352(B), make the following disclosure in your Subdivision Disclosure Report:

THE QUALITY OF THE WATER IS NOT REGULATED BY FEDERAL OR STATE AUTHORITIES AND MAY NOT BE SUITABLE FOR DOMESTIC USE.

Note: The answers within Section V 8f, 9f, and 10f must be in conformance with the findings and requirements of ADWR (See Section III, No. 7), ADEQ (See Section III, No. 14) and the Arizona Corporation Commission (ACC). You are advised to confirm that the water provider possesses a Certificate of Convenience and Necessity (CC&N) from the ACC, if required. Failure to comply with the requirements of ADWR, ADEQ and ACC will cause delays in processing the application. For information contact:

ADWR, Office of Assured and Adequate Water Supply	(602) 771-8585
ADEQ, Engineering Review Department	(602) 771-4677
ACC, Utilities Division	(602) 542-4251

2. Section V 17 d

In addition to any prior information given relating to reservation lands and its use, the below information shall be included in the Subdivision Disclosure Report along with the following paragraph in bold capital letters.

THIS SUBDIVISION IS LOCATED WITHIN **ONE MILE** OF AN AMERICAN INDIAN RESERVATION. ACTIVITIES ON THE RESERVATION INCLUDE OR MAY INCLUDE OPEN RANGE, AGRICULTURAL OPERATIONS, AIRCRAFT OPERATIONS, INDUSTRIAL OPERATIONS AND DAIRY FARMS. A RESERVATION HAS ITS OWN LAWS GOVERNING THE LAND WITHIN ITS BOUNDARIES. THESE MAY INCLUDE TRESPASSING, DUMPING, ARCHAEOLOGY, HUNTING, FISHING, ETC. IN ADDITION, CERTAIN AREAS OF THE RESERVATION MAY BE NONPUBLIC-CLOSED AREAS WHICH REQUIRE SPECIAL PERMISSION TO ENTER. THOROUGHFARES AND ROADS ON THE RESERVATION MAY NOT BE AVAILABLE FOR PUBLIC USE.

3. Section V 17 f

If a yes answer is given, the Subdivision Disclosure Report shall include the below information and the following paragraph in bold capital letters.

INFORMATION ON A PROPOSED OR EXISTING TRANSMISSION LINE AND SUBSTATION MAY BE AVAILABLE FROM THE ARIZONA CORPORATION COMMISSION OR FROM THE UTILITY COMPANY. IN ADDITION TO THE ABOVE DISCLOSED INFORMATION, BUYER SHOULD CONTACT THE UTILITY COMPANY FOR FURTHER

AVAILABLE INFORMATION WHICH MAY INCLUDE STRUCTURE HEIGHTS, SCHEMATICS OF WHAT THE STRUCTURES WILL LOOK LIKE AND CONSTRUCTION SCHEDULES.

4. Section V 19a(i)

If yes, the Subdivision Disclosure Report shall include the below information and the following paragraph in bold capital letters on the *front page* of the Subdivision Disclosure Report:

THIS DEVELOPMENT IS LOCATED WITHIN TERRITORY IN THE VICINITY OF A MILITARY AIRPORT. THE DEPARTMENT MAINTAINS A REGISTRY OF INFORMATION PROVIDED BY THE MILITARY AIRPORT. THE REGISTRY INCLUDES MAPS OF MILITARY FLIGHT OPERATIONS AND A MAP SHOWING THE EXTERIOR BOUNDARIES OF EACH TERRITORY AND HIGH NOISE OR ACCIDENT POTENTIAL ZONE. THIS INFORMATION IS AVAILABLE TO THE PUBLIC ON REQUEST.

The Subdivision Disclosure Report shall include the below information and the following paragraph *under the AIRPORT heading in the Subdivision Disclosure Report* – **Section V 19.**

SUBDIVISION IS LOCATED WITHIN TERRITORY IN THE VICINITY OF [NAME OF MILITARY AIRPORT]. MILITARY FLIGHTS MAY PRODUCE AIRCRAFT NOISE AS A RESULT OF MILITARY FLIGHT OPERATIONS.

5. Section V 19a(ii)

Note: If yes, the Subdivision Disclosure Report shall include the below information and the following paragraph in bold capital letters on the *front page* of the Subdivision Disclosure Report

THIS DEVELOPMENT IS LOCATED WITHIN TERRITORY IN THE VICINITY OF AN ANCILLARY MILITARY FACILITY. THE DEPARTMENT MAINTAINS A REGISTRY OF INFORMATION PROVIDED BY THE ANCILLARY MILITARY FACILITY. THE REGISTRY INCLUDES MAPS OF MILITARY FLIGHT OPERATIONS AND A MAP SHOWING THE EXTERIOR BOUNDARIES OF EACH TERRITORY AND HIGH NOISE OR ACCIDENT POTENTIAL ZONE. THIS INFORMATION IS AVAILABLE TO THE PUBLIC ON REQUEST.

The Subdivision Disclosure Report shall include the below information and the following paragraph *under the AIRPORT heading in the Subdivision Disclosure Report* – **Section V 19a(ii).**

SUBDIVISION IS LOCATED WITHIN TERRITORY IN THE VICINITY OF [NAME OF ANCILLARY MILITARY FACILITY]. MILITARY FLIGHTS MAY PRODUCE AIRCRAFT NOISE AS A RESULT OF MILITARY FLIGHT OPERATIONS.

6. Section V 19a(iii)

Note: If yes, the Subdivision Disclosure Report shall include the below information and the following paragraph in bold capital letters on the front page of the Subdivision Disclosure Report

THIS SUBDIVISION IS LOCATED UNDER A MILITARY TRAINING ROUTE. THE STATE LAND DEPARTMENT AND THE STATE REAL ESTATE DEPARTMENT MAINTAIN MILITARY TRAINING ROUTE MAPS AVAILABLE TO THE PUBLIC. THE MILITARY TRAINING ROUTE MAP IS POSTED ON THE STATE REAL ESTATE DEPARTMENT'S WEB SITE. SUBDIVIDER HAS NO CONTROL OVER THE MILITARY TRAINING ROUTES AS DELINEATED IN THE MILITARY TRAINING ROUTE MAP OR THE TIMING OR FREQUENCY OF FLIGHTS AND ASSOCIATED LEVELS OF NOISE.

7. Section V 19a(iv)

Note: If yes, the Subdivision Disclosure Report shall include the below information and the following paragraph in bold capital letters on the front page of the Subdivision Disclosure Report

THE PROPERTY IS LOCATED UNDER RESTRICTED AIR SPACE. THE STATE LAND DEPARTMENT AND THE STATE REAL ESTATE DEPARTMENT MAINTAIN RESTRICTED AIR SPACE MAPS AVAILABLE TO THE PUBLIC. THE RESTRICTED AIR SPACE MAP IS POSTED ON THE STATE REAL ESTATE DEPARTMENT'S WEB SITE.

8. Section V 19a(v)

Note: If yes, the Subdivision Disclosure Report shall include the below information and the following paragraph in bold capital letters on the front page of the Subdivision Disclosure Report

THE PROPERTY IS LOCATED IN A HIGH NOISE OR ACCIDENT POTENTIAL ZONE. THE STATE LAND DEPARTMENT AND THE STATE REAL ESTATE DEPARTMENT MAINTAIN MILITARY AIRPORT MAPS AVAILABLE TO THE PUBLIC. MILITARY AIRPORT MAPS ARE POSTED ON THE STATE REAL ESTATE DEPARTMENT'S WEB SITE.

Under the Airport heading in the Subdivision Disclosure Report -

SUBDIVISION IS LOCATED IN A HIGH NOISE OR ACCIDENT POTENTIAL ZONE.

Note: A yes answer to any of the military questions requires you to include the appropriate map(s) as an exhibit in your Subdivision Disclosure Report.

9. Section V 19b(i)

Under the Airport heading in the Subdivision Disclosure Report –

SUBDIVISION IS LOCATED WITHIN TERRITORY IN THE VICINITY OF [NAME OF PUBLIC AIRPORT]. FLIGHTS MAY PRODUCE AIRCRAFT NOISE AS A RESULT OF FLIGHT OPERATIONS.

EXHIBIT B. SECTION V. QUESTIONNAIRE/WORKSHEET

1. WATER:

- a. If a private or shared well is to be utilized, describe all requirements and costs involved to install an operational domestic water system: (Include all governmental licensing/permitting requirements and their costs; average depth to water; drilling requirements and costs; equipment costs; all other necessary costs) **Not Applicable**
- b. If the source of water is a private or shared well and potable water cannot be obtained from a private or shared well, will lot purchaser be offered a refund of the purchase price? Yes No If yes, explain any conditions or restrictions involving the refund: **Not Applicable**
- c. If water is to be transported/hailed to individual lots by lot purchasers for domestic use, provide name and location of the supplier; provide cost estimates to be computed on a monthly basis for a four-member family (include costs of water; cistern and other holding tanks necessary; pumps; and any other costs necessary to install an operational water system): **Not Applicable**

2. SEWER TREATMENT PLANTS ¹⁷

- a. Will a dry sewer system be installed for future connection to a central provider?
 Yes No
 - i). Name of future provider: **Not Applicable**
 - ii). Estimated cost to connect: **Not Applicable**
 - iii). Date of connection: **Not Applicable** (Month-Day-Year)
 - iv). Will individual on-site wastewater treatment systems be temporarily required?
 Yes No
 - v). Estimated cost to remove the on-site wastewater treatment system: **Not Applicable**
- b. Name, telephone number and website of sewage collection, treatment and disposal system provider: **City of Tempe, (480) 350-8361, website: www.tempe.gov.**
- c. What is the compliance status of the sewage collection, treatment and disposal provider with the ADEQ as of the date of the application? **In compliance**
If not in compliance, provide an explanation: **Not Applicable**

¹⁷ Must be in conformance with the findings and requirements of the Arizona Department of Environmental Quality ADEQ and the Arizona Corporation Commission (ACC). You are advised to confirm that the sewer provider possesses a Certificate of Convenience and Necessity (CC&N) from the AFF, if required. Failure to comply with the requirements of ADEQ and ACC will cause delays in processing the application. Contact the Engineering Review Department at ADEQ (602-771-4677) or the Utilities Division of the ACC (602-542-4251).

- d. If the sewage collection, treatment and disposal system provider is a public service corporation, does it possess a CC&N from the Arizona Corporation Commission allowing it to provide service to this subdivision? Yes No
If no, provide an explanation: **Not Applicable**
- e. Who will be responsible for completion of the sewage collection, treatment and disposal facilities to the lot lines: **Subdivider**
- f. Estimated completion date of facilities to the lot lines: **February 21, 2021** (Month-Day-Year)
- g. Estimated costs lot purchaser will have to pay for completion of facilities to his lot lines: **Cost to complete facilities to the lot line is included in the purchase price.**
- h. Estimated costs lot purchaser will have to pay for completion of facilities from lot line to his dwelling: **Cost to complete facilities from lot line to dwelling is included in the purchase price.**
- i. Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service? (Service charges, hook-up fees, capacity fees, tap-in fees, development fees, etc.) **Cost to purchasers to receive service is included in the Homeowners Association assessments.**
- j. Who is responsible for maintenance of the sewage collection, treatment and disposal facilities within this subdivision other than from lot line to dwelling? **City of Tempe**
- k. Who is responsible for maintenance of the sewage collection, treatment and disposal facilities outside this subdivision? **City of Tempe**
- l. What costs, if any, will lot purchasers be responsible to pay toward maintenance of sewage collection, treatment and disposal facilities? **Cost to purchasers is included in the Homeowners Association assessments.**

3. SEWAGE COLLECTION, TREATMENT AND DISPOSAL

- a. Who is responsible for the completion/extension/addition of the sewer treatment plant that will service this subdivision? **Not Applicable**
- b. Estimated completion date of the sewer treatment plant: **Not Applicable** (Month-Day-Year)
- c. Estimated costs lot purchaser will have to pay for the completion of the sewer treatment plant: **Not Applicable**
- d. Upon completion who is responsible for the maintenance of the sewer treatment plant? **Not Applicable**
- e. What arrangements have been made to assure the completion and delivery of the facilities? **Not Applicable**

4. MASTER PLANNED COMMUNITY

- a. Is this subdivision part of one or more master planned community(ies)? Yes No
- b. If yes, give name(s), describe and answer the following questions: **Not Applicable**
- c. List all common or recreational master planned facilities located outside of this subdivision but included in the above master planned community(ies), which are available for use by lot purchasers within this subdivision: **Not Applicable**
- d. Who is responsible for the completion of the above facilities? **Not Applicable**
- e. Estimated completion date for the above facilities? **Not Applicable** (Month-Day-Year)
- f. Who is responsible for continuing maintenance and expenses of the above facilities? **Not Applicable**
- g. Estimated costs lot purchaser will be required to pay for the use of or for the maintenance of the above facilities? **Not Applicable**

EXHIBIT C. INSPECTION FEE SCHEDULE

FOR PROPERTY LOCATED IN ARIZONA

One upfront inspection fee is to be submitted with your initial filing. If multiple inspections are necessary, additional inspection fees may be charged.

ROUNDTrip MILEAGE FROM PHOENIX ADRE	INSPECTION FEE ¹⁸
1-25 miles	\$10
26-50 miles	\$20
51-75 miles	\$30
76-100 miles	\$40
101-125 miles	\$50
126-150 miles	\$60
151-175 miles	\$70
176-200 miles	\$80
201-250 miles	\$100
251-300 miles	\$120
301-350 miles	\$140
351-400 miles	\$160

¹⁸ These fees effective beginning January 1, 2006

EXHIBIT D. SECTION IV. FILING FORMAT

Arizona Department of Real Estate
Attn: Subdivision Division
2910 N. 44th Street
Phoenix, AZ 85018

Re: **Tempe Micro Estates; Request for Expedited Registration for Improved Subdivision Lots**

Enclosed is our application for a Subdivision Disclosure Report, which we request be processed under the Expedited Registration Program. The Department’s Checklist for Administrative Completeness, copy attached, has been used to prepare the application. We affirm that the application, supporting documents and Subdivision Disclosure Report are full, true, complete and accurate. We understand and agree that:

1. Upon receipt of our application, the Department will assign a registration number to it and deposit the filing fees.
2. Within 10 business days, the Department may return the application with a deficiency letter if it is not administratively complete; or issue a Certificate of Administrative Completeness authorizing us to commence sales if the application appears to be complete and accurate; or deny the application.
3. If our application is returned to us, we will have 30 days to satisfy all deficiencies and return it to the Department administratively complete. If we fail to timely return the complete application, the application will be closed and our resubmission will require a new application and fees.
4. The Department may deny the certification if it appears that:
 - a. the application or development is not in compliance with all legal requirements.
 - b. the applicant has a background of violations of state or federal law.
 - c. the applicant or development presents an unnecessary risk of harm to the public.
5. Upon receipt of the Certificate of Administrative Completeness, we will place the registration number and effective date on each Subdivision Disclosure Report.
6. The Department may examine the applicant, development and the Subdivision Disclosure Report after the Certificate of Administrative Completeness is issued. Prompt responses to inquiries from the Department will assist in processing. In the event an examination reveals any omission, inaccuracy, misrepresentation, fraudulent statement, or failure to comply with statutory requirements, the Department may suspend sales and pursue administrative action.

DATE: 3/16/2020

DEVELOPER: Newtown Community Development Corporation

(Print Name)



(Authorized Signatory)

Stephanie Brewer

(Signatory’s Printed Name)

EXHIBIT F. AFFIDAVIT OF APPLICANT

AFFIDAVIT OF APPLICANT

STATE OF ARIZONA
COUNTY OF MARICOPA

RE: Tempe Micro Estates
Subdivision Name

I hereby certify under penalty that the statements contained in this application constitute notice of intention to sell or lease subdivided lands, and that the statements together with any documents submitted herewith are full, true, complete and correct.

I further affirm and swear that I will not, over any period of time or by any means, resubdivide any of the herein described lots or dispose of or offer to dispose of subdivided lands not contained in the Subdivision Disclosure Report, without first complying with the provisions of A.R.S. §32-2181 et seq., and that I will notify the Department of Real Estate of any change to the information in this application.

I hereby represent that as the owner of the above mentioned subdivision, I will not place or allow to be placed any mortgages or liens on the property other than those already in existence as of this date, copies of which have been furnished to the Arizona Department of Real Estate as a part of the application for the subdivision, unless the Department is notified of the placement of any new mortgage or lien.

I further certify that, if this application has not been submitted on the standard form prepared by the Arizona Department of Real Estate, applicant agrees that the Department may take any action deemed necessary to ensure compliance with the subdivision laws if, after issuing a Subdivision Disclosure Report, the Department discovers errors, omissions or deficiencies in the application or Subdivision Disclosure Report based on the application. The applicant further agrees to completely indemnify the Department, the State of Arizona, its agents and employees from any and all liability caused, in whole or in part, by use of a nonstandard form.

I am duly authorized to prepare and am the person responsible for the content of this application and accompanying Subdivision Disclosure Report.

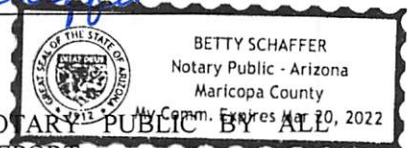
3/16/2020
Date

By: [Signature]
Signature of Applicant
Stephanie Brewer
Printed Name
Deputy Director
Title of Office
Newtown Community Development Corporation
Applicant/Entity Name

This instrument subscribed to and sworn before me this 16th day of March, 2020 by Stephanie Brewer, in witness whereof I set my hand and official seal.

[Signature]
Notary Public

My Commission Expires:
March 20, 2022



APPLICATION MUST BE SIGNED AND SWORN TO BEFORE A NOTARY PUBLIC BY ALL SUBDIVIDERS PRIOR TO ISSUANCE OF THE SUBDIVISION DISCLOSURE REPORT.

Question 17(c) continued:

North:

- Metro Light Rail, approximately ¼ mile
- ASU Campus, approximately ¾ mile
- Farrington Softball Stadium, approximately 1 mile
- ASU Karsten Golf Course, approximately 1 mile
- Rio Salado Park, approximately 1 ¼ miles and approximately 1 ½ miles
- Tempe Town Lake, approximately 1 ¼ miles
- Red Mountain Freeway (202), approximately 1 ¾ miles

Northeast:

- Metro Light Rail, approximately ¼ mile
- Dorsey Ln/Apache Blvd Park-and-Ride, approximately ¼ mile
- Fire Station, approximately ½ mile
- Tempe FD/APS Joint Training Facility, approximately ¾ mile
- ASU Campus, approximately ¾ mile
- ASU Karsten Golf Course, approximately ¾ mile
- Law Enforcement Buildings, approximately 1 mile
- McClintock Rd/Apache Blvd Park-and-Ride, approximately 1 mile
- Post Office, approximately 1 ¼ miles
- Tempe Marketplace, approximately 1 ½ miles
- Rio Salado Park, approximately 1 ½ miles
- Tempe Town Lake, approximately 1 ½ miles
- Salt River, approximately 1 ½ miles
- Indian Bend Wash, approximately 1 ¾ miles
- Indian Bend Wash Habitat, approximately 1 ¾ miles
- Red Mountain Freeway (101), approximately 1 ¾ miles
- Salt River-Pima-Maricopa Indian Community, approximately 1 ¾ miles
- Price Fwy/Apache Blvd Park-and-Ride, approximately 1 ¾ miles
- Tempe Canal, approximately 2 miles
- Pima Freeway (101), approximately 2 miles
- Cubs Park, approximately 2 ¼ miles
- Green Acres Memorial Cemetery, approximately 2 ¾ miles
- Vista del Camino Park, approximately 2 ¾ miles
- Riverview Park, approximately 3 miles

East:

- Price Freeway (101), approximately 1 ¾ miles
- Tempe Canal, approximately 2 miles

Southeast:

- Union Pacific Railroad, adjacent
- Southern Palms Center, approximately 1 ¼ miles

- Valley metro Park-and-Ride, approximately 1 ¼ miles
- Shalimar Country Club, approximately 1 ½ miles
- Price Freeway (101), approximately 1 ¾ miles
- Superstition Freeway (60), approximately 2 miles
- Tempe Canal, approximately 2 ¼ miles
- Banner Desert Medical Center, approximately 2 ½ miles
- Cardon Children's Medical Center, approximately 2 ½ miles
- Fire Station, approximately 2 ½ miles
- Mesa Community College, approximately 3 miles

South:

- Union Pacific Railroad, adjacent
- Superstition Freeway (60), approximately 1 ¾ miles

Southwest:

- Union Pacific Railroad, adjacent and approximately 1 ½ miles
- Library, approximately 1 ½ miles
- Post Office, approximately 1 ½ miles
- Superstition Freeway (60), approximately 1 ¾ miles
- Kiwanis Community Park, approximately 2 ½ miles
- Western Canal, approximately 2 ½ miles
- Twin Buttes County Cemetery, approximately 2 ½ miles
- Tempe Double Butte Cemetery, approximately 2 ¾ miles
- Arizona Mills, approximately 2 ¾ miles
- Maricopa Freeway (10)(60), approximately 2 ¾ miles
- Tempe Diablo Stadium Complex, approximately 2 ¾ miles

West:

- ASU Campus, within ¼ mile
- Daley Park, approximately ½ mile
- Tempe St. Luke's Hospital, approximately 1 mile
- Union Pacific Railroad, approximately 1 mile
- Maricopa Freeway (10)(60), approximately 3 miles
- Hohokam Freeway (143), approximately 3 ¼ miles

Northwest:

- ASU Campus, within ¼ mile
- Metro Light Rail, approximately ½ mile
- Wells Fargo Arena, approximately 1 mile
- Sun Devil Stadium, approximately 1 mile
- Sun Angel Stadium, approximately 1 mile
- Packard Stadium, approximately 1 mile
- ASU Gammage, approximately 1 mile
- Union Pacific Railroad, approximately 1 ¼ miles

- Hayden Butte Preserve, approximately 1 ¼ miles
- Tempe Town Lake, approximately 1 ¼ miles
- Rio Salado Park, approximately 1 ¼ miles and approximately 1 ½ miles
- Municipal Buildings, approximately 1 ¼ miles
- Law Enforcement Buildings, approximately 1 ¼ miles
- Fire Station, approximately 1 ½ miles
- Post Office, approximately 1 ½ miles
- Tempe Beach Park, approximately 1 ½ miles
- Papago Park, approximately 1 ¾ miles
- Red Mountain Freeway (202), approximately 1 ¾ miles
- Salt River, approximately 2 miles
- Marquee Theater, approximately 2 miles
- Tempe Center for the Arts, approximately 2 miles
- Grand Canal, approximately 2 ¼ miles
- Rolling Hills Golf Course, approximately 2 ½ miles
- Evelyn Hallman Park, approximately 2 ½ miles
- San Francisco Canal, approximately 2 ¾ miles
- Phoenix Zoo, approximately 2 ¾ miles
- Phoenix Municipal Stadium, approximately 3 miles

Freeways: The close proximity of Red Mountain Freeway (202), Price Freeway (101), Superstition Freeway (60), Maricopa Freeway (10)(60), Hohokam Expressway (143), and the Maricopa Freeway (10) may be a safety hazard to unsupervised children, pets and adults. Purchasers are advised that the potential exists for the future widening of this freeway which may produce noise, vibration, fumes, dust, additional traffic, fuel particles and other effects from construction, which some individuals may find objectionable. For more information, visit the Arizona Department of Transportation website at www.azdot.gov.

Union Pacific Railroad: Due to the proximity of the railroad, the operation, repair and/or replacement of railroad line may result in traffic, noises, odors, dust, vibrations, derailments or other potential nuisances or hazards. The railroad may operate 24 hours a day, 7 days per week. Union Pacific Railroad has advised there are no pre-determined hours of operation. These areas may also pose safety hazards to unsupervised children and adults. Purchasers are encouraged to drive within the vicinity of community to determine whether there may exist additional items of concern. For further information, contact Union Pacific Railroad at (602) 322-2530, or visit the website at www.up.com.

Metro Light Rail System: Light rail will operate on two sets of tracks, with trains of up to three cars traveling in each direction. Light rail trains will run 18 to 20 hours per day, every day of the week, stopping at stations about every 10 minutes during peak hours and above every 20 minutes off-peak. Future METRO Extensions are planned in Phoenix, Tempe, Mesa and Glendale. During construction, additional vehicle traffic (including heavy construction vehicles), dust, noise (including construction noise in the early mornings), etc. may exist. For further information contact Valley Metro Rail at (602) 262-7433 or www.valleymetro.org.

[Under construction] Valley Metro Streetcar Stop Rural & Apache, approximately 0.30 miles north of the subdivision. Completion expected in 2021. (<https://www.valleymetro.org/project/tempe-streetcar>).

Salt River Pima-Maricopa Indian Community: Subdivider makes no representation or warranty with respect to future land uses on the Salt River Pima-Maricopa Indian Community nor as to any rights an adjacent property owner may have to protest or influence future land uses. Land use changes within the Salt River Pima-Maricopa Indian Community are not subject to mandatory public notice and hearing requirements and procedures that are common in many municipalities. Please contact the Salt River Pima-Maricopa Indian Community at 10005 East Osborn Road, Scottsdale, Arizona 85256, (480) 362-7740 or visit the website at www.srpmic-nsn.gov.

Southwest Gas Corporation: Natural gas service is NOT available within the subdivision. However, as a result of natural gas facilities available to lots within the vicinity of the subdivision, major natural gas lines in the vicinity of this community are necessary in order to service the surrounding areas. For further information regarding natural gas lines, purchasers should contact Southwest Gas Corporation at (877) 860-6020 or log onto their website at www.swgas.com. Additional information may be obtained by contacting the Pipeline and Railroad Safety Department of the Arizona Corporation Commission at (602) 262-5601 or visit the Corporation Commission web site at www.azcc.gov/safety/pipeline.

Fire Station: Due to the proximity of fire stations, this subdivision may experience an increased amount of noise, and other effects associated with this type of facility that may be of concern to some individuals.

Bodies of Water: Purchasers are advised that canals, creeks, channels, rivers, floodways, man-made lakes, levees, washes, and wells may be hazardous to unsupervised children and adults. Purchasers are advised to independently investigate this matter. For further information, please contact the Flood Control District of Maricopa County at (602) 506-1501 or visit their website at www.fcd.maricopa.gov.

Termites: Prior to pouring finished floors, each home will be treated for termites with certain chemicals, as permitted by law. The termite protection warranty that is provided with the home does not guarantee that termite infestation will not occur during the warranty period. The chemicals dissipate over time and other events may occur that will require the home to be retreated. Certain actions to the home, such as excessive watering and landscaping around the foundation of the home, may void the warranty.

Views: Views and/or scenes that may be visible from particular portions of the community or any of its lots will change over time and may be wholly or partially obstructed as development activity continues and landscape matures. **SUBDIVIDER MAKES NO REPRESENTATIONS OR WARRANTY REGARDING THE FUTURE PROTECTION OF VIEWS THAT MAY BE A FACTOR IN THE PURCHASER'S DECISION TO PURCHASE IN THIS COMMUNITY.**

Scorpions and Other Pests: Cockroaches, snakes, black widow spiders, scorpions and other pests and animals are common in parts of Arizona. Fortunately, most pests can be controlled with pesticides. Scorpions, on the other hand, may be difficult to eliminate. Purchasers with concerns should seek the advice of a pest control company. If these or any other creatures are a concern, purchaser may contact the Arizona Game and Fish Department at (602) 942-3000, or visit their website at www.azgfd.gov. For additional information, please visit www.desertusa.com.

Construction Traffic: During the construction of additional roads, widening of existing roads, and construction of houses, additional vehicle traffic (including heavy construction vehicles), dust, noise (including construction noise in the early mornings), etc. may exist.

Subdivider has used its best efforts in an attempt to disclose all noteworthy activities and conditions surrounding this subdivision using the resources reasonably available to developer at the time this Public Report was prepared. This information may change from time to time. Prospective purchasers are encouraged to (i) drive the areas surrounding the subdivision (at different times of the day) to determine whether there exists any activities or conditions that may be of concern to Purchaser and (ii) determine to Purchaser's own satisfaction whether or not the items mentioned in the Public Report or discovered by Purchaser's own inspections are of concern to Purchaser.

PURCHASER IS ADVISED THAT HOMES SITUATED ADJACENT TO OR IN THE VICINITY OF COMMERCIAL PROPERTY, MULTI-FAMILY SITES, WORSHIP SITES, SCHOOL SITES, STREETS, FREEWAYS, PARKWAYS, ROADWAYS, TRAILS, OPEN SPACE AREAS, CONSTRUCTION-RELATED OPERATIONS, INDUSTRIAL PROPERTIES, PROVING GROUND, MINING OPERATIONS, ENTERTAINMENT VENUES, PARKS, CORRECTIONAL FACILITIES, AGRICULTURAL AREAS, OTHER NON-RESIDENTIAL USES, AND/OR OTHER RECREATION AMENITIES MAY EXPERIENCE AN ADDITIONAL AMOUNT OF NOISE, DUST, LIGHTING, AND SIGNAGE, AS WELL AS PEDESTRIAN AND VEHICULAR TRAFFIC TYPICALLY ASSOCIATED WITH SUCH FACILITIES.



Arizona Department of Real Estate (ADRE)

Development Services Division

www.azre.gov

100 N. 15th AVENUE STE-201, PHOENIX, AZ 85007

DOUGLAS A. DUCEY GOVERNOR

JUDY LOWE COMMISSIONER

+EXPEDITED SUBDIVISION DISCLOSURE REPORT (PUBLIC REPORT) APPLICATION – (FORM Z2)

IS THE PROPERTY CONSUMER FRAUD PROTECTION BUREAU (CFPB)/INTERSTATE LAND SALES REGISTRATION (ILSR) CERTIFIED? YES [] NO [X]

ALL SUBDIVIDERS MAKING THIS APPLICATION FOR SUBDIVISION DISCLOSURE REPORT MUST BE LISTED AND ARE REQUIRED TO EXECUTE THIS APPLICATION AS THE APPLICANT

SECTION 1: OWNER/APPLICANT INFORMATION

Owner – Applicant Name(s) (Subdivider) Name(s): Newtown Community Development Corporation, an Arizona corporation
Owner – Applicant Address: 2106 E. Apache Boulevard, Suite 112
City: Tempe State: Arizona Zip Code: 85281
Telephone Number: (480) 517-1589 Facsimile Number: (480) 517-1490 E-mail: david@newtowncdc.org

SECTION 2: AUTHORIZED CONTACT PERSON

Name of Contact Person that Owner/Applicant authorizes the Department of Real Estate to accept and rely upon as accurate and complete all information and documentation provided by the named contact person in conjunction with this application: Denise Joyce
Company Name of Contact Person: First American Title Insurance Company
Contact Person Address: 8601 N. Scottsdale Road, Suite 135
City: Scottsdale State: Arizona Zip Code: 85253
Telephone Number: (602) 855-3857 Facsimile Number: (866) 825-3592 E-mail: djoyce@firstam.com

SECTION 3: NAME OF SUBDIVISION

Complete name of subdivision, as shown in the Dedication of the recorded map: Tempe Micro Estates
Name(s) which will be used in marketing or promotional activity, if different from above (aka): None

SECTION 4: LOCATION OF SUBDIVISION

Location of subdivision: The subdivision is located south of Spence Avenue at Rita Lane.
City: Tempe County: Maricopa State: Arizona
Street location: The subdivision is located south of Spence Avenue at Rita Lane.
Nearest major crossroads: Rural Road and Apache Road
If outside a city or town, miles and directions from the nearest city or town: N/A

SECTION 5: LOT OR UNITS

List the lots or units included in this application: **Lots 1 through 13, inclusive.**

SECTION 6: COMPLETE THIS SECTION IF THE SUBDIVIDER IS OTHER THAN AN INDIVIDUAL, SUCH AS A CORPORATION, LIMITED LIABILITY COMPANY, PARTNERSHIP OR TRUST:

Name the type of legal entity: **an Arizona corporation**

Give name and address of all officers, general partners, members, trustees or other persons who exercise control of the entity:

Allen Carlson
2106 E Apache Blvd, Suite 112
Tempe, AZ 85281

Stephanie Brewer
2106 E Apache Blvd, Suite 112
Tempe, AZ 85281

Kirk Kobert
2106 E Apache Blvd, Suite 112
Tempe, AZ 85281

Jeffrey Miller
2106 E Apache Blvd, Suite 112
Tempe, AZ 85281

Margaret Hunnicutt
2106 E Apache Blvd, Suite 112
Tempe, AZ 85281

Doreen Duran
2106 E Apache Blvd, Suite 112
Tempe, AZ 85281

List the percentage interest of each person/entity owning a 10% interest or more including any person owning 10% or more of any entity listed: **None**

If the legal entity is a trust, list the beneficiaries holding 10% or more of the beneficial interest (2nd Beneficiaries only, if a 2nd Beneficiary trust): **N/A**

From whom does Trustee accept instructions? **N/A**

IF THE LEGAL ENTITY IS A TRUST, SUBMIT COPY OF RECORDED TRUST AGREEMENT(S) TOGETHER WITH ANY AMENDMENTS OR ASSIGNMENTS THERETO.

SECTION 7: SUBSIDIARY CORPORATION

If the subdivider is a Subsidiary Corporation, list the name, address, and state of incorporation of the Parent Corporation: **N/A**

SECTION 8: LIST THE NAMES OF ANY OF THE FOLLOWING IN WHICH THE PARENT CORPORATION OR ANY OF ITS SUBSIDIARIES ARE OR HAVE BEEN INVOLVED WITHIN THE LAST FIVE (5) YEARS:

Subdivisions located in Arizona: N/A
Subdivisions, wherever located, for which registration is required pursuant to the Federal Interstate Land Sales Full Disclosure Act: N/A
Subdivisions, wherever located, for which registration would have been required pursuant to the Federal Interstate Land Sales Full Disclosure Act but for the exemption for subdivisions where lots are all twenty acres or more in size or other exemptions : N/A

SECTION 9: LIST ANY OTHER SUBDIVISIONS NOT DESCRIBED IN SECTION 3 ABOVE IN WHICH ANY OF THE FOLLOWING ARE OR, WITHIN THE LAST FIVE (5) YEARS, HAVE BEEN DIRECTLY OR INDIRECTLY INVOLVED:

The holder of any ownership interest in the land: N/A
The subdivider: N/A
Any principal or officer in the holder or subdivider: N/A
NOTE: All listings of corporate or partnership entities must include reference to the state in which the corporation was incorporated or state in which the partnership was formed.

SECTION 10: CENTRAL ARIZONA GROUNDWATER REPLENISHMENT DISTRICT (CAGRD)

CAGRD Fees: If the answer to either of the following questions is “yes”, include the Notice Confirmation of CAGRD Fee Payment from the Central Arizona Groundwater Replenishment District (CAGRD) confirming payment of all fees ¹ .	
Is the property enrolled as a Member Land of the CAGRD pursuant to A.R.S. §48-3774?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, include CAGRD FPN#: N/A .	
Will the property be served by a municipal water provider whose service area is currently enrolled as a Member Service Area of the CAGRD pursuant to A.R.S. §48-3780?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, include CAGRD FPN#: N/A .	

SECTION 11: FILINGS WITH STATE/FEDERAL/PROVINCIAL AUTHORITIES

If a Property Registration has been filed with or accepted by another regulatory agency, list the jurisdictions: None
--

¹ If the land has enrolled as Member Land of the Central Arizona Groundwater Replenishment District (CAGRD) pursuant to A.R.S. §48-3772 and 48-3774, or if the land will be served by a municipal water provider whose service area is currently enrolled as a Member Service Area of the CAGRD pursuant to A.R.S. §48-3772 and §48-3780, you must file an application for a Fee Payment Notice with the CAGRD. Contact the CAGRD at (623) 869-2380 or visit the CAGRD at www.cagrd.com.

SECTION 12: DISCIPLINARY ACTION DISCLOSURE. FAILURE TO ANSWER THE FOLLOWING QUESTIONS IN COMPLETE DETAIL WILL DELAY THE PROCESSING OF THIS APPLICATION

Each applicant for Subdivision Disclosure Report must answer the following questions. If the applicant is not an individual but is an entity (e.g., a corporation, partnership, limited liability company or trust), answers must be provided by each of the partners, officers, members, beneficiaries, managers or managerial employees of the applicant, and every other individual or entity that exercises control (as defined in A.R.S. §32-2101(17)) over the applicant or holds a 10% or greater interest in the applicant. If you answer "yes" to any question, provide a signed, detailed statement describing the facts and circumstances, including the date, time and location of the incident or event. You must also provide supporting documentation identified on Department form LI-400, Document Checklist, as provided in A.A.C. R4-28-301, in order for your application to be considered complete. You can obtain this form either at the Licensing front counter or on our website at www.azre.gov.


DISCIPLINARY ACTION DISCLOSURE QUESTIONS

1) Have you ever been convicted of any felony in Arizona or any other state?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
2) Are you currently in a deferred period or a diversion program, having been convicted of a Class 6 undesignated offense, which has not yet been designated as a felony or misdemeanor as of the date of this application?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
3) Are you currently incarcerated, paroled, or on probation because of any conviction?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
4) In the past 10 years, have you been convicted of any misdemeanor in Arizona or any other state? Note: You do not need to report minor traffic citations, which do not constitute a misdemeanor or felony offense. D.U.I. is not a minor traffic offense and must be reported.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
5) In the past 10 years, have you had a professional or occupational license or registration of any kind denied, suspended, restricted, or revoked?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
6) In the past 10 years, have you had an administrative order or any other disciplinary action taken against any license issued to you by any local, state or federal regulatory agency or voluntarily surrendered any license during the course of an investigation or disciplinary proceeding?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7) In the past 10 years, have you had any Subdivision Disclosure Report or Registration to Sell real estate, timeshares, cemetery lots or campground memberships denied, suspended or revoked?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
8) In the past 10 years, have you entered into any consent decree, or had an injunction (either temporary or permanent), a suspension, an order, or a judgment issued which prohibited or restricted you from engaging in any profession or occupation?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
9) In the past 10 years, have you had any judgment or order entered against you by any court involving fraud, dishonesty, misrepresentation, unfair trade practice or moral turpitude?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
10) In the past 10 years, have you had any judgment or order entered against you by any court arising out of the conduct of any business in real estate, cemetery property, timeshare intervals or membership campgrounds?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
11) Are you the subject of a current investigation or pending disciplinary action with the Arizona Department of Real Estate?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
12) Has any real estate recovery fund, or similar fund EVER made a payment that was charged against you or against a business for which you were the qualifying party?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
13) Within the past 10 years, has any person or entity in a controlling position over the applicant declared bankruptcy, or held any interest in any corporation, partnership or limited liability company that has declared bankruptcy?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

If information on any "yes" answer above was previously provided to the Department, indicate the date and reason it was provided. You are not required to provide this information again if it is on file at the Department.

I certify, under penalty of perjury under the laws of the State of Arizona, that I am authorized to sign on behalf of the applicant and that the foregoing answers and statements given in this application and any statement that I have attached are true and correct and applicable for all persons and entities required to provide answers.

Owner – Applicant (Developer/Subdivider) Name: **Newtown Community Development Corporation, an Arizona corporation**

Printed Name of Authorized Party: <u>Stephanie Brewer</u>	Signature of Authorized Party: 	Date: <u>3/16/2020</u>
--	---	---------------------------



Arizona Department of Real Estate (ADRE)
 Development Services Division
www.azre.gov
 100 N. 15th AVENUE STE-201, PHOENIX, AZ 85007

DOUGLAS A. DUCEY
GOVERNOR

JUDY LOWE
COMMISSIONER

AFFIDAVIT OF APPLICANT

I hereby certify under penalty that the statements contained in this application constitute notice of intention to sell or lease subdivided lands, and that the statements together with any documents submitted herewith are full, true, complete and correct.

I further affirm and swear that I will not, over any period of time or by any means, resubdivide any of the herein described lots or dispose of or offer to dispose of subdivided lands not contained in the Subdivision Disclosure Report, without first complying with the provisions of A.R.S. §32-2181 et seq., and that I will notify the Department of Real Estate of any change to the information in this application.

I hereby represent that as the owner of the above mentioned subdivision, I will not place or allow to be placed any mortgages or liens on the property other than those already in existence as of this date, copies of which have been furnished to the Arizona Department of Real Estate as a part of the application for the subdivision, unless the Department is notified of the placement of any new mortgage or lien.

I further certify that, if this application has not been submitted on the standard form prepared by the Arizona Department of Real Estate, applicant agrees that the Department may take any action deemed necessary to ensure compliance with the subdivision laws if, after issuing a Subdivision Disclosure Report, the Department discovers errors, omissions or deficiencies in the application or Subdivision Disclosure Report based on the application. The applicant further agrees to completely indemnify the Department, the State of Arizona, its agents and employees from any and all liability caused, in whole or in part, by use of a nonstandard form.

I am duly authorized to prepare and am the person responsible for the content of this application and accompanying Subdivision Disclosure Report.

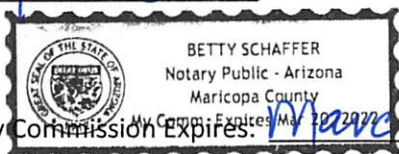
STATE OF ARIZONA

COUNTY OF MARICOPA

3/16/2020
Date

RE: Tempe Micro Estates
Subdivision Name
By: [Signature]
Signature of Applicant
Stephanie Brewer
Printed Name
Deputy Director
Title or Office
Newtown Community Development Corporation, an Arizona corporation
Applicant/Entity Name

This instrument subscribed to and sworn before me this 16th day of March, 2020 by Stephanie Brewer in witness whereof I set my hand and official seal.



[Signature]
Notary Public

My Commission Expires: March 20, 2022

APPLICATION MUST BE SIGNED AND SWORN TO BEFORE A NOTARY PUBLIC BY ALL SUBDIVIDERS PRIOR TO ISSUANCE OF THE SUBDIVISION DISCLOSURE REPORT.

Notice to Applicant Pursuant to A.R.S. § 41-1030

An agency shall not base a licensing decision in whole or in part on a licensing requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact. A general grant of authority in statute does not constitute a basis for imposing a licensing requirement or condition unless a rule is made pursuant to that general grant of authority that specifically authorizes the requirement or condition.

This section may be enforced in a private civil action and relief may be awarded against the State. The court may award reasonable attorney fees, damages and all fees associated with the license application to a party that prevails in an action against the state for a violation of this section.

A State employee may not intentionally or knowingly violate this section. A violation of this section is cause for disciplinary action or dismissal pursuant to the Agency's adopted personnel policy.

This section does not abrogate the immunity provided by section 12-820.01 or 12-820.02