PHOENIX OFFICE:

100 North 15th Avenue

Suite 201

Phoenix, Arizona 85007

[www.azre.gov](http://www.azre.gov)

**STATE OF ARIZONA**

**DEPARTMENT OF REAL ESTATE**

“An Equal Employment Opportunity Agency”

**APPLICATION**

**FOR**

**UNSUBDIVIDED LAND PUBLIC REPORT**

This application must be filed and Public Report issued pursuant to A.R.S. § 32-2195 et seq. prior to the sale or lease of unsubdivided lands as defined in A.R.S. §32-2101(58), unless an exemption has been issued pursuant to A.R.S. §2195.01. The Development Services Manager or any Real Estate Representative located in the Phoenix Office may be contacted for assistance.

**Persons with disabilities may request reasonable accommodations such as interpreters, alternative formats or assistance with physical accessibility. Requests for accommodations must be made with 72 hours prior notice. If you require special accommodations, please contact either office listed above.**

**SECTION I**

**INSTRUCTIONS AND GENERAL INFORMATION**

1. Read and understand this section thoroughly prior to compiling the required documents in Section II and answering the questions in Section III of this application.

1. Secure all the required documents listed in Section II of this application.
2. Answer all questions in Section III of this application.
3. File this complete application, together with the required documents, at the local office of the Department of Real Estate. An initial fee of $500.00 must accompany this application pursuant to A.R.S. § 32-2195.02.

**This application will not be accepted for initial processing unless Section III has been completed and payment of the $500.00 fee received.**

1. Payment of all fees related to this application must be by check made payable to the Arizona Department of Real Estate.
2. One or more site inspections of the development may be performed by the Department to verify, among other things, timely completion of improvements. The applicant pursuant to A.R.S. § 32-2195.02 shall pay inspection costs, including travel and subsistence expenses.
3. For purposes of this application only, the term “development” is used generically throughout to refer to the property on which you are filing this Application for Public Report.
4. The applicant (owner or developer) who plans to offer unsubdivided land (parcels) for sale or lease must complete and file this application and obtain a public report prior to offering the parcels for sale or lease. Upon issuance of the public report, you will also be provided with a public report receipt form, which must be used. The developer must furnish each prospective customer with a copy of the public report and get a receipt for it before the purchaser signs a contract.

The applicant for a public report must have a sufficient recorded interest in the development. The Department will examine the applicant’s interest in the development for sufficiency. Additionally, that interest must be reflected in a policy of title insurance or title report.

1. For purposes of this application only, the following terms are defined as follows:
2. Facilities - Any improvement offered by the applicant. A facility will be deemed offered if it is represented as available or as a planned or future part of the development by the applicant, any person working for the applicant, any marketing or advertising materials, or in any other documents or materials used in representing the development to prospective purchasers.
3. Completion Date - The date by which applicant will have completed installation of facilities to federal, state, county, city or town standards, where applicable.
4. Completion - The installation of working or usable facilities to each individual parcel line or upon the common areas, as applicable.
5. Upon review of this application, additional information and/or documentation may be required. Failure to completely answer all questions and submit all documents pertaining to the development will delay processing the application.
6. Pursuant to A.R.S. § 32-2195.10, a change to the development or the plan under which it is offered for sale or lease may invalidate the public report and require application for and issuance of an amended public report. Continuing sales or offers for sale after any change without notifying the Department and obtaining an amended public report or an exemption may result in administrative action. This may include, but is not limited to, suspended sales, voidable contract(s) or administrative penalties.
7. Advertising used in connection with sales must be filed with the Department.
8. The Applicant for public report may submit as part of the application a prepared public report on diskette, in accordance with the procedures shown in Exhibit B.
9. If the public report contains an error, the Department shall correct the report at its own expense. Additional or changed information that was known to the applicant before issuance of the report is not an error. No public report shall be corrected after it has been in effect for 10 days. After 10 days, the report shall only be changed through the amendment process, established in Rule R4-28-B1203, with payment of the amendment fee of $500.00 pursuant to A.R.S. 32-2195.02
10. The Department is required by law to process this application in accordance with established time frames. The following is a description of the time frames and procedures which the Department and applicant must comply with:
11. **Overall time frame.** The Department shall issue or deny a public report within the overall time frame after receipt of the complete application. The overall time frame is the total of the number of days provided in the administrative completeness review and the substantive review.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Administrative** | **Deficiency** | **Substantive** | **Additional** | **Overall** |
|  | **Completeness** | **Completion** | **Completeness** | **Information** | **Time-frame** |
|  | **Review** | **Period** | **Review** | **Period** |  |
| **Original** |  |  |  |  |  |
| **Application** | **40** | **40** | **60** | **40** | **100** |
|  |  |  |  |  |  |
| **Amendment** | **30** | **30** | **30** | **30** | **60** |

1. **Administrative completeness review.**
2. The administrative completeness review time frame begins the date the Department receives the application. The Department shall notify the applicant in writing of deficiencies within the administrative completeness review time frame. The notice shall specify what information is missing. If the Department does not provide notice to the applicant, the application shall be deemed administratively complete.
3. An applicant with an incomplete application shall supply the missing information within the completion period shown in the above table. The administrative completeness review time frame is suspended from the date of the Department’s deficiency notice until the Department receives the information.
4. An applicant shall not supply missing information “piece-meal.” The receipt of any missing information will be interpreted as the applicant’s response to the Department’s deficiency notice and the Department will resume processing the application.
5. If the applicant fails to submit all of the missing information before the completion deadline, the Department will close the file. An applicant whose file has been closed and who later wishes to obtain a public report shall submit a new application.
6. **Substantive review.** The substantive review time frames shown in the above table begin the day after the application is deemed administratively complete.
7. The Department may schedule an inspection.
8. If the Department makes a comprehensive written request for additional information, the applicant shall submit the additional information identified by the request within the additional time period shown in the above table. The substantive review time frame is suspended from the date of the Department’s request until the Department receives the information. If the applicant fails to provide the information identified in the request, the Department shall deem the application withdrawn and close the file.
9. An applicant shall not supply the requested additional information “piece-meal.” The receipt of any requested information will be interpreted as the applicant’s response to the Department’s request for additional information and the Department will resume processing the application.
10. Unless the file has been closed because the application was incomplete, the Department shall issue a written notice granting or denying the public report within the substantive review time frame. If the application is denied, the Department shall send the applicant written notice explaining the reason for the denial, the applicant’s right to seek a fair hearing and the time period and manner in which the applicant may appeal the denial.
11. **Application filing.** All development applications filed with the Department shall be considered filed on the date received by the Department.
12. **Computation of time.** In computing any period of time, the day of the act from which the designated period of time begins to run shall not be included. The last day of the period shall be included unless it is Saturday, Sunday or a legal holiday in which event the period runs until the end of the next day which is neither Saturday, Sunday nor a legal holiday.

**SECTION II**

**REQUIRED DOCUMENTS**

THE FOLLOWING DOCUMENTS MUST ACCOMPANY THIS APPLICATION AND SHALL CONSTITUTE A PART THEREOF.

1. A legible copy of the recorded development map no larger than 11” X 17” showing name of development, parcel designation and acreage, recording data, monuments, distance and bearings, and registered land surveyor certification.

1. Policy of Title Insurance or Title Report which is a true statement of the condition of title to the land issued after recordation of map, dated no more than 30 days prior to receipt by the Department of Real Estate. The policy or report must include the statement that “there are no further matters of record affecting the land” and must include the name and telephone number of the title examiner.

Updated title reports may be required during the process of this application. Reports listing requirements may be rejected and updates required.

1. A legible copy of all recorded and unrecorded documents shown in the title report/policy or affecting the condition of title including, but not limited to, all options, contracts of purchase, liens, encumbrances, trust agreements and grazing leases. Documents, which show applicant’s ability to deliver title to each individual parcel as detailed on the development map free of the affect of the aforementioned documents, if not shown within said documents. (Individual and unrestricted release provisions for a whole parcel.)
2. A copy of the Arizona Department of Water Resources water availability report, if a report has been issued.
3. A copy of the Contract for Purchase or Lease to be used, describing conditions of sale or lease, and type of deed, lease or other conveyance document to be used to convey property to purchaser. All agreements and contracts shall contain substantially the following language in large or bold print above the signature portion of such document: “THE PURCHASER SHALL BE GIVEN A COPY OF THE PUBLIC REPORT BEFORE SIGNING THIS DOCUMENT.” See Exhibit “A” to this application entitled CONTRACT DISCLOSURES. Your contract may need additional disclosures as set forth in Exhibit “A.”
4. A copy of the provisions, if any, limiting the use or occupancy of the parcels, and any restrictive covenants affecting all or part of the development. (Copies of recorded restrictions, recorded deed restrictions, contract restrictions, unrecorded grazing leases or other restriction documents.)
5. Document(s) demonstrating legal and permanent access including a report by a licensed engineer or land surveyor of this state that permanent access for use by conventional vehicles can be established over the terrain covered by road easements or dedications.
6. Copy of all advertising material to be used or proposed to be used. If none, provide statement to that effect.
7. A draft Unsubdivided Lands Disclosure Report prepared using the Department’s Unsubdivided Lands Disclosure Report template. The template can be found on the Arizona Department of Real Estate website at [www.azre.gov](http://www.azre.gov); located under “Development Services” – then click on forms.

The draft shall be prepared as a Word document in Microsoft Word.

The draft, including all exhibits that are referenced in the Report such as airport maps and title exceptions, shall be submitted on a CD-RW along with one (1) hard copy of the draft Unsubdivided Lands Disclosure Report.

The CD-RW should not be password or write protected.

All references to leases should be deleted if no leasing is proposed.

Statements on the Subdivision Disclosure Report must be provided in concise, plain language and must disclose all pertinent facts.

**Do not make reference to an exhibit that cannot be imported into the Subdivision Disclosure Report draft.**

1. A certificate of good standing issued by the Arizona Corporation Commission for each corporation (foreign or domestic) participating in this application as a principal, general partner, or joint venturer owning 10 percent or more. The date on the Certificate shall not be more than 1 year from the date of the application.
2. If applicant is a trust, limited liability company, partnership or joint venture, a copy of the legal documents creating same (partnership/joint venture agreement, articles of organization, operating agreement, trust agreements, other) Limited partnerships must provide evidence of registration with the Arizona Secretary of State’s Office.
3. Authorization for any individual(s) signing on behalf of a corporation, limited liability company, partnership or owner (corporate resolution, partnership agreement, power-of-attorney, other) authorizing the signing of all documents and correspondence relating to this application.
4. A copy of documents, agreements or statements demonstrating that adequate financial or other arrangements acceptable to the Commissioner have been made for installation, completion and delivery of all improvements and facilities represented in this application. See Section III, Question 21 of this application.
5. A letter from a professional engineer detailing the effect of any flood zone designation or flood plain location, flood and drainage conditions, any apparent hazards, effect of a 100 year frequency storm and if flood insurance is required. The engineer’s professional seal must be affixed and legible on the letter.
6. A copy of the Articles of Incorporation and Bylaws for each property owners association listed in Section III, Question 36 of this application. The Articles and Bylaws must show that the association(s) is formed.
7. If applicant(s) is a person, complete information requested on Exhibit “C” and submit with this application.
8. If you answer “yes” to the question in the application which asks if you have been convicted of any misdemeanor, felony, or other crime, you must supply the following, pursuant to A.A.C. R4-28-301(A):
9. A written statement from you (**subscribed and sworn before a Notary Public**) providing an account of the part you played when each incident occurred.
10. Three current letters of character references from individuals, 18 years or older, not related by blood or marriage and who have known you for at least one year.
11. A 10-year work history, including any periods of unemployment.
12. A new set of fingerprint exemplars and our fingerprint-processing fee of $24.00, pursuant to A.R.S. 32-2108.01. Please make your check payable to the Arizona Department of Real Estate. FINGERPRINT CARDS ARE AVAILABLE FROM THE DEPARTMENT and most county Sheriff Offices and City Police Departments.

In addition to the above and as applicable, you must supply a certified copy of the following:

1. Police Report
2. Complaint and Indictment
3. Information
4. Pre-sentence Report
5. Judgment
6. Sentencing documents
7. Plea Agreement
8. Probation papers
9. Restoration of civil rights/expungement/dismissal documents.

If you attempt to obtain the required documents from a law-enforcement agency or court and are told that records have been destroyed or are otherwise unavailable, obtain a written statement to that effect from the agency or court. **Do not detach or unstaple certified documents. Documents must remain in the original order received.**

IF THE ABOVE REQUIRED INFORMATION HAS PREVIOUSLY BEEN PROVIDED THE DEPARTMENT, PLEASE 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.

**SECTION III**

**APPLICATION**

**UNSUBDIVIDED LANDS**

FAILURE TO ANSWER THE FOLLOWING QUESTIONS IN COMPLETE DETAIL WILL DELAY THE PROCESSING OF THIS APPLICATION.

1. Complete name of development, as shown on the recorded map:

(a) Name, which will be used in all marketing or promotional activity, if different from above (aka):

1. List the parcels included in this application:      \_

3. APPLICANT (Owner):

(a) Name(s):

(b) Address:

1. Telephone:       Fax:

**ALL OWNERS MAKING THIS APPLICATION FOR PUBLIC REPORT MUST BE LISTED AND ARE REQUIRED TO EXECUTE THIS APPLICATION AS THE APPLICANT.**

(e) If the owner is other than an individual, such as a corporation, limited liability company, partnership or trust:

i. Name the type of legal entity:

ii. Give name and address of all officers, members, general partners, trustees or any other person who exercises control in or of the entity:

iii. List the percentage interest of each person/entity owning a 10% interest or more:

iv. If the legal entity is a trust, list the beneficiaries holding 10% or more of the beneficial interest (2nd Beneficiaries only, if a 2 Beneficiary Trust):

From whom does Trustee accept instructions?

**SUBMIT COPY OF TRUST AGREEMENT (S) TOGETHER WITH ANY AMENDMENTS OR ASSIGNMENTS THERETO.**

(f) If the applicant is a Subsidiary Corporation, list the name and address of the Parent Corporation:

(g) 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 years:

i. Developments located in Arizona:

ii. Developments, wherever located, for which registration is required pursuant to the Federal Interstate Land Sales Full Disclosure Act:

iii. Developments, 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:

(h) List any other developments not described in (g) above in which any of the following are or, within the last five years, have been directly or indirectly involved:

i. The holder of any ownership interest in the land:

ii. The Agent:

iii. Any principal or officer in the holder or developer:

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.

FAILURE TO ANSWER THE FOLLOWING QUESTIONS IN COMPLETE DETAIL WILL DELAY THE PROCESSING OF THIS APPLICATION

**Each applicant for an Unsubdivided Lands 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.

1) Have you ever been convicted of any **felony** in Arizona or any other state? Yes  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?  Yes  No

3) Are you currently incarcerated, paroled, or on probation because of any conviction?  Yes  No

4) In the past 10 years, have you:

a. 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.***  Yes  No

b. had a professional or occupational license or registration of any kind denied, suspended, restricted, or revoked?  Yes  No

c. 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?  Yes  No

d. had any Subdivision Disclosure Report, Unsubdivided Lands Disclosure Report or Registration to Sell real estate, timeshares, cemetery lots or campground memberships denied, suspended or revoked?  Yes  No

e. 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?

Yes  No

f. had any judgment or order entered against you by any court involving fraud, dishonesty, misrepresentation, unfair trade practice or moral turpitude?

Yes  No

g. 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?  Yes  No

1. Are you the subject of a current investigation or pending disciplinary action with the Arizona Department of Real Estate?  Yes  No

6) 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?  Yes  No

7) Within the past ten 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?

Yes  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.

4. DEVELOPMENT MAP:

1. Recorded in      , records       County, State of      .

(b) Gross acreage in entire development:      .

(c) Specify number of parcels or tracts within entire development:

i. Are they staked or marked in a permanent or temporary fashion so that each may be located?

Yes No

Please explain:

5. DEVELOPMENT LOCATION:

1. Exact location, City, County and State:
2. Miles and direction from nearest City or Town, if applicable:
3. Best route for getting to the development:

**PLEASE PROVIDE DETAILED DIRECTIONS TO THE PROPERTY, TOGETHER WITH SKETCH MAP, TO FACILITATE ITS LOCATION BY DEPARTMENT INSPECTORS.**

6. Describe the physical characteristics of the development and any unusual factors, which may affect the land, e.g., level, hilly, rocky, loose soil, alkaline soil, etc.

7. Is the development subject to any known flooding or drainage problems?  Yes No

If yes, describe:

8. Are the land development parcels subject to subsidence or expansive soils?  Yes No

If yes, provide description and remedy.

(Use separate sheet if necessary)

1. Describe existing and proposed land uses 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 or other effects:

(Use separate sheet if necessary)

NOTE: 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.

10. 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?  Yes No

If yes, please describe and fully explain:

NOTE: The intent of this question is to disclose hazardous liquid pipeline, propane pipelines and interstate natural gas pipelines. Having natural gas service available in the subdivision discloses that there exists natural gas infrastructure necessary to provide service in the community. Information on the location of these hazardous liquid, 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.

11. AIRPORTS

1. Is all or any portion of the development 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 development.

Is all or any portion of the development 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 development.

Is all or any portion of the development located in a high noise or accident potential zone as defined in A.R.S. 28-8461?  Yes No

If yes, please explain.

Provide the name, location and distance from the development of the nearest airport.

12. GEOLOGICAL OR ENVIRONMENTAL CONDITIONS; PRIOR LAND USE

(a) Are the unsubdivided land parcels subject to any known geological or environmental conditions, which would or may be detrimental to a purchaser’s health, safety or welfare?  Yes No

If yes, explain:

(Use separate sheet if necessary)

(b) Describe the prior land use of the unsubdivided lands.

i. Was the land or any portion thereof ever used for a disposal site?  Yes No

ii. If yes, please explain.

(c) Are the unsubdivided land parcels located within the boundaries of a federal designated Superfund site or a State designated Water Quality Assurance Revolving Fund (WQARF) site?

Yes No

If yes, describe.

(d) Has an examination, study or report been made of any portion of the unsubdivided lands and vicinity to determine the existence of any adverse geological or environmental conditions?

Yes No

i. If yes, provide copy of such examination, study or report.

ii. If not, an examination, study or report may be required.

**If no environmental study, examination or report has been made; such disclosure will be included in your public report.**

**ADDITIONAL INFORMATION AND/OR REQUIREMENTS MAY BE REQUESTED UPON REVIEW OF YOUR ANSWERS TO QUESTIONS 4 THROUGH 12 ABOVE**.

13. ELECTRICITY:

(a) Are electric facilities available to the development:  Yes No

1. If facilities are available, state name, address and telephone number of company, which will provide service:

(c) Where are present facilities in relation to the development? (Distance from farthest parcel)

(d) Who will be responsible for completion of the facilities to the parcel lines?

(e) Estimate completion date of facilities to the parcel lines:

Month Day Year

i. If conduit only, explain how and when facilities will be completed:

(f) Estimated costs parcel purchaser will have to pay for completion of facilities to the parcel line:

(g) Estimated costs parcel purchaser will have to pay for completion of facilities from parcel line to

the dwelling:

(h) Upon completion of facilities, what other costs or requirements exist before parcel purchaser can receive service? (Current service charges, current hook-up fees, current turn-on fees, meter fees, wire pulling through conduit).

14. TELEPHONE

(a) Are telephone facilities available to the development?  Yes No

(b) If facilities are available, state name, address and telephone number of company, which will provide service:

(c) Where are present facilities in relation to the development? (Distance from farthest parcel included in this application)

(d) Who will be responsible for completion of the facilities to the parcel line:

(e) Estimated completion date of facilities to the parcel lines:

Month Day Year

i. If conduit only, explain how and when facilities will be completed:

(f) Estimated costs parcel purchaser will have to pay for completion of facilities to the parcel:

(g) Estimated costs parcel purchaser will have to pay for completion of facilities from parcel line to the dwelling:

(h) Upon completion of facilities, what other costs or requirements exist before parcel purchaser can receive service? (Current service charges, current hook-up fees, current turn-on fees, meter fees, wire pulling through conduit)

15. NATURAL GAS:

(a) Are natural gas facilities available to the development?  Yes No

(b) If facilities are available, state name, and telephone number of company, which will provide service:

(c) Where are present facilities in relation to the development? (Distance from farthest parcel included in this application)

(d) Who will be responsible for completion of the facilities to the parcel lines?

(e) Estimated completion date of facilities to the parcel lines:

Month Day Year

(f) Estimated costs parcel purchaser will have to pay for completion of facilities to the parcel line:

1. Estimated costs parcel purchaser will have to pay for completion of facilities to the parcel line:

(h) Upon completion of facilities, what other costs or requirements exist before parcel purchasers can receive service? Current service charges, current hook-up fees, meter fees, current turn-on fees

(i) Is bottled propane gas to be used?  Yes No

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

16. WATER:

1. Is a domestic water supply available to the development?  Yes No
2. Has a water availability report been issued by the Arizona Department of Water Resources?

Yes No

If yes, provide copy.

1. State whether water supply will be provided by a municipal system, improvement district, public utility, private water company, co-op, irrigation district, private well, water hauler or other:

**IF PRIVATE WELL OR WATER HAULING WILL BE THE SOURCE OF DOMESTIC WATER, GO TO SECTION (p).**

(d) Name, and telephone number of water provider:

(e) What is the compliance status of the water provider with the Arizona Department of Environmental Quality as of the date of this application?

If in non-compliance, provide an explanation:

(f) 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 the development?  Yes No

If no, provide an explanation:

(g) Where are present water facilities in relation to the development? (Distance from farthest parcel included in this application

(h) Who will be responsible for completion of the facilities to the parcel lines?

(i) Estimated completion date of facilities to the parcel lines:

Month Day Year

(j) Will fire hydrants be installed and, if yes, when?  Yes No

      Month Day Year

(k) Estimated costs parcel purchaser will have to pay for completion of facilities to his parcel line:

(l) Estimated costs parcel purchaser will have to pay for completion of facilities from parcel line to

dwelling:

(m) Upon completion of facilities, what other costs or requirements exist before parcel purchaser can

receive service? (Service charges, hook-up fees, turn-on fees, meter fees, development fees)

(n) Who is or will be responsible for maintenance of the water line within the development other than from parcel line to dwelling?

(o) Who is or will be responsible for maintenance of the water lines outside the development?

(p) If a private 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)

(Use separate sheet if necessary)

(q) If the source of water is a private well and domestic water cannot be obtained from private

well, will parcel purchaser be offered a refund of the purchase price?  Yes No

If yes, explain any conditions or restrictions involving the refund.

(r) If water is to be transported/hauled to individual parcels by parcel 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 cost of water; cistern and other holding tanks necessary; pumps; and any other costs necessary to install an operational water system):

17. SEWAGE COLLECTION AND DISPOSAL:

(a) State whether sewage collection and disposal will be provided by a municipality, improvement district, public utility, private company, individual sewage disposal systems (septic tanks etc.) or other:

**IF INDIVIDUAL SEWAGE DISPOSAL SYSTEMS WILL BE USED, GO TO SECTION (1)**

(b) Name, address and telephone number of sewage collection and disposal company:

1. What is the compliance status of the sewage collection and disposal provider with the Arizona Department of Environmental Quality as of the date of this application?

If in noncompliance, provide an explanation:

1. If the sewage collection and disposal provider is a public service corporation, does it possess a Certificate of Convenience and Necessity from the Arizona Corporation Commission allowing it to provide service to the development?  Yes No

If no, provide an explanation

1. Who will be responsible for completion of the sewage collection and disposal facilities to the parcel lines:

(f) Estimated completion date of facilities to the parcel lines:

Month Day Year

(g) Estimated costs parcel purchaser will have to pay for completion of facilities from parcel line to his dwelling:

(h) Upon completion of facilities, what other costs or requirements exist before parcel purchaser can receive service? (Service charges, hook-up-fees, tap-in- fees, development fees)

(i) Who is responsible for maintenance of the sewage collection and disposal facilities within the

development other than from parcel line to dwelling?

(j) Who is responsible for maintenance of the sewage collection and disposal facilities outside the development?

(k) What costs, if any, will parcel purchasers be responsible to pay toward maintenance of sewage collection and disposal facilities?

l) Describe the type of individual sewage disposal system parcel purchasers will be required to install:

(m) Describe all requirements and costs involved to install an operational individual sewage disposal system: (Include all governmental licensing/permitting requirements and their costs; equipment and all other necessary costs)

(n) If an operational individual sewage disposal system cannot be installed, will parcel purchaser be offered a refund of the purchase price?  Yes No

If yes, explain any conditions or restrictions involving the refund.

18. STREETS AND ROADS:

1. Is legal and permanent access provided to the development and parcels within the development over terrain which may be traversed by 2-wheel drive automobiles and emergency vehicles?

Yes No

(b) Exterior road(s) providing access to the development:

i. Is exterior road(s) public or private?

If private, describe what provisions have been made to assure purchasers of a permanent right to use the private access road(s).

ii. Is exterior road(s) complete?  Yes No

iii. Who is responsible to complete?

iv. What is the estimated completion date?       Month Day Year

v. What type of surfacing?

vi. What costs, if any, will parcel purchaser be required to pay toward road completion?

vii. Who is responsible for road maintenance?

viii. If County to maintain the exterior road(s), when will it be accepted for maintenance?

ix. What costs, if any, will parcel purchaser be required to pay toward road maintenance?

(c) Interior road(s) within the development:

i. Are interior roads within the development public or private?

1. Are the interior roads complete?  Yes No

iii. Who is responsible to complete?

a. Will they be constructed to county or applicable government standards/ requirements?  Yes No

iv. What is the estimated completion date?       Month Day Year

v. What type of surfacing?

vi. What costs, if any, will parcel purchaser be required to pay toward road completion?

vii. Who is responsible for road maintenance?

viii. If County will maintain interior roads, when will they be accepted for maintenance?

ix. What costs, if any, will parcel purchaser be required to pay towards road maintenance?

**In addition to the access report requested in Required Document No. 7 in Section II of this application, support letters from a title insurance company and licensed engineer or surveyor may be required to demonstrate permanent and legal access. See Rule R4-28-A1207 for assistance.**

19. FLOOD AND DRAINAGE:

1. Will there be flood protection or drainage facilities installed within the development?

Yes No

If yes, describe:

(b) Who will be responsible for completion of the facilities?

(c) What is the estimated completion date?       Month Day Year

(d) What costs, if any, will parcel purchaser be required to pay toward completion of facilities?

(e) Who is responsible for continuing maintenance and expenses of the facilities?

(f) If the County is responsible for maintenance, when will the facilities be accepted for maintenance?

(g) What costs, if any, will parcel purchaser be required to pay toward maintenance of facilities?

20. ADDITIONAL FACILITIES:

(a) List all other unsubdivided land facilities and improvements to be included in the unsubdivided land offering including, but not limited to, all common, community and/or recreational facilities:

(Use separate sheet if necessary)

(b) Who is responsible for the completion of the above facilities?

(c) What is the estimated completion date for the above facilities:

Month Day Year

1. What costs, if any, will parcel purchaser be required to pay toward completion of the above?

(e) Who will be responsible for continuing maintenance and expanses of the above?

(f) What costs, if any, will parcel purchaser be required to pay toward maintenance of the above?

**IF THE FACILITIES LISTED IN QUESTIONS 13 THRU 20 ABOVE ARE TO BE COMPLETED FOR SPECIFIC PARCELS IN PHASES, DESCRIBE YOUR PHASED SCHEDULE OF COMPLETION GIVING THE PARCELS 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.**

21. ASSURANCES FOR COMPLETION AND MAINTENANCE OF UNSUBDIVIDED LAND FACILITIES:

(a) What arrangements have been made to assure the completion of the facilities listed in Questions 13 thru 20 above:

(Use separate sheet if necessary)

(b) What arrangements have been made to assure the continued maintenance of the facilities listed in Questions 13 thru 20 above:

(Use separate sheet if necessary)

**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. THE FOLLOWING ARE EXAMPLES OF FINANCIAL ASSURANCES WHICH MUST BE SUBMITTED AND ACCEPTED PRIOR TO ISSUANCE OF THE PUBLIC REPORT: PERFORMANCE BONDS, LETTERS OF CREDIT FROM A RECOGNIZED BANK OR LENDING INSTITUTION, IRREVOCABLE CONTRACTS BACKED BY CASH HELD IN TRUST OR SUCH OTHER ARRANGEMENTS WHICH MAY BE ACCEPTABLE TO THE COMMISSIONER. SEE RULE R4-28-A1211 FOR FUTHER ASSISTANCE.**

**COPIES OF COST ESTIMATES FOR FACILITIES WILL BE REQUIRED IF THEY ARE INCOMPLETE.**

22. SCHOOLS:

1. What is the current location (distances) of the nearest public (elementary, junior and high) schools available for the attendance of school age pupils residing in the development?

(b) What transportation, i.e. school bus or other, is available?

(c) If not listed above, give the type and location of any other school(s) located within a ½ mile radius of the exterior boundaries of the development.

23. SHOPPING FACILITIES:

What is the current location and distance from the development of the nearest community shopping area where food, drink and medical supplies can be purchased?

24. PUBLIC TRANSPORTATION:

State type, provider, location and distance of the nearest access point from the development:

25. MEDICAL FACILITIES:

State type, provider, location and distance from the development:

26. FIRE PROTECTION:

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

(b) If yes, state name of provider and costs to parcel purchaser:

27. AMBULANCE SERVICE:

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

(b) Is the development in a 911-service area?  Yes No

If no, provide name, address and telephone number of ambulance service(s) available.

28. POLICE SERVICE:

(a) Is police protection available to the development?  Yes No

(b) If yes, state name of provider:

29. REFUSE COLLECTION:

(a) Have provisions been made for refuse collection?  Yes No

(b) If yes, state name of service provider and cost to parcel purchaser:

(c) If no, what must parcel purchaser do to dispose of refuse? (Include location of nearest authorized

transfer station, landfill, dump, or other and all costs involved.)

30. DEVELOPMENT USE:

(a) Do you plan to offer for sale or lease unimproved (vacant) parcels or improved (with dwelling) parcels? Explain:

(b) What is the use for which unsubdivided land parcels will be offered?

If more than one use is contemplated, identify parcels and their proposed use.

(c) State whether all or any portion of the development 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 development to preclude livestock from roaming within the development.

(d) Are any of the mineral rights reserved from the development parcels, or will they be?

Yes No

i. If yes, what will be the effect on parcel owners if the mineral right holder exercises his rights to extract minerals?

(e) Give full disclosure of other conditions or provisions, which may limit the use, or occupancy of the property offered in this application. If none, so state:

31. SALES:

(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

i. Are cash sales allowed?  Yes No

ii. If yes, when does purchaser take title?

(b) Where will purchaser’s deposit and earnest monies be deposited and held?

i. Can such monies be used?  Yes No

ii. When and under what conditions will such monies be released?

(c) When will parcel purchaser be permitted to use and occupy his parcel?

(d) Will purchaser receive title free and clear of all liens?  Yes No

i. If no, please explain:

(e) What is the estimated average sales price for?

i. Unimproved parcel (vacant):

ii. Improved parcels (parcel plus dwelling):

(f) Will any of the property be leased?  Yes No

Specimen of lease document that will be used.

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

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

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

1. Do the sales documents contain all contract disclosures required by rule and statute?

Yes No

If no, provide explanation:

**YOUR ABOVE ANSWERS MUST BE IN CONFORMANCE WITH THE DOCUMENTS SUBMITTED UNDER REQUIRED DOCUMENT NO. 5, SECTION II.**

(h) Name, address and telephone number of Arizona broker who will be responsible for sales. If none, so state and explain why.

If applicant is a broker or a salesperson, Commissioner’s Rule R4-28-1101(E) provides, “Licensee shall not act as a principal, directly or indirectly, in a real estate transaction without informing the other parties to the transaction, in writing and prior to or concurrent with any binding agreement, that he or she has a real estate license and is acting as a principal.”

(i) Location of development sales records. State of Arizona address at which records will be kept, name of custodian and telephone number.

(j) Have you offered this property for sale at any time prior to the date of this application?

Yes No

i. If yes, please explain:

(k) Do you intend to offer this property for sale prior to completion of this application?

Yes No

i. If yes, please explain:

32. TITLE AND ENCUMBRANCES:

(a) Name and address of Owner:

(b) Title to the property is vested with:

i. If title is not vested with the applicant, please explain applicant’s interest in the property:

(c) Are there any mortgages, deeds of trust, liens or other encumbrances recorded against the property?  Yes No

i. 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 parcels from any blanket lien or encumbrance:

(Use separate sheet if necessary)

(d) Are there any unrecorded liens or encumbrances against the property?  Yes No

33. PROPERTY TAXES AND ASSESSMENTS:

(a) Real Property Taxes:

i. The combined primary and secondary property tax rate for the development for the year       is $      per $100.00 assessed valuation.

ii. The estimated property tax for an improved parcel (parcel with dwelling), based on the above tax rate and average sales price of $     , is $     .

iii. The estimated property tax for an unimproved parcel (vacant), based on the above tax rate and average sales price of $     , is $     .

iv. Are current real property taxes paid?  Yes No

v. Date next payment due?

**The applicant prior to issuance of the public report must redeem delinquent property taxes that have been sold on a Certificate of Purchase.**

(b) Special District Tax or Assessment:

i. Has a special assessment district been formed or proposed for the purpose of financing acquisition, construction, maintaining or operating improvements for the development, for for the purpose of offering any other service?  Yes No

ii. If yes to the above, provide explanation including, but not limited to, name and type of district, amount of assessments and how payable, parcel purchaser responsibilities, release provisions, default provisions, etc. If the district is proposed, provide as much information as possible.

(Use separate sheet if necessary)

(c) Other than as stated above, are there any other special assessments, taxes, or fees to be paid by purchaser?  Yes No

If yes, explain

34. PROMOTIONAL ACTIVITIES:

(a) Describe your proposed marketing program including form and content of advertising to be used:

(b) If there are any inducements such as gifts, free offers or any other promises offered to prospective purchasers, please explain: (Disclose all information regarding inducements including, but not limited to, gifts or free offers)

35. FILINGS WITH STATE/FEDERAL / PROVINCIAL AUTHORITIES.

If a Property Registration has been filed with or accepted by another regulatory agency, list the jurisdictions:

36. PROPERTY OWNER’S ASSOCIATIONS:

(a) Name of Association, if any:

(b) Property owners will be required to pay assessments in the amount of $      per      .

(c) Name of Master Property Owners Association if any:

(d) Property Owners will be required to pay master association assessments in the amount of $      per      .

(e) Is the above association(s) legally formed and operational?  Yes No

(f) When and under what conditions, if any, will control of the association(s) be released to parcel purchasers?

(g) When and under what conditions, if any, will title to the common areas be transferred to the association?

(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:

(i) Will all parcel owners be members of the association(s)?  Yes No

If no, please explain:

1. Will non-members be liable for payments to the association(s)?  Yes No

**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.**

37. The applicant authorizes the Department of Real Estate to accept and rely upon as accurate and complete

all information and documentation provided by the following person(s) in conjunction with this application:

Name:

Company Title:

Address:

Telephone Number:       Fax Number:

AFFIDAVIT OF APPLICANT

STATE OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

COUNTY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ RE: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DEVELOPMENT NAME

I hereby certify under penalty that the statements contained in this application constitute notice of intention to sell or lease unsubdivided 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 parcels or dispose of or offer to dispose of unsubdivided lands not contained in the public report without first complying with the provisions of A.R.S. Sec. 32-2181 et seq. or Sec. 32-2195 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 development, 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 development, 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 unsubdivided land laws if, after issuing a public report, the Department discovers errors, omissions or deficiencies in the application or public 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 public report.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date Printed Name

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name Title or Office

This instrument subscribed to and sworn before me \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

this \_\_\_\_\_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_. 20\_\_\_\_ by Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, in witness

whereof I set my hand and official seal. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

My Commission Expires: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. Notary Public

APPLICATION MUST BE SIGNED AND SWORN TO BEFORE A NOTARY PUBLIC BY ALL UNSUBDIVIDED LAND DEVELOPERS PRIOR TO ISSUANCE OF THE PUBLIC REPORT.

**EXHIBIT “A”**

**CONTRACT DISCLOSURES**

1. Any agreement or contract for purchase or lease shall contain substantially the following language in large or bold print above the signature portion of such document.

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.

1. Any agreement or contract for the purchase or lease of an unimproved (vacant) lot or parcel shall contain substantially the following language in large or bold print above the signature portion of such document:

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 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.

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.

1. Any agreement or contract for sale or lease shall conspicuously disclose the nature of the document at or near the top of the document.
2. Any agreement or contract for the sale or lease of a lot or parcel in a development where a 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 too or directly below the disclosure in the purchase contract or agreement of sale. The following disclosure shall be written in large or bold print and shall be included in the public report, purchase contract and agreement of sale:

**“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 purchase assumes a risk of losing the money if the seller is unable or unwilling to perform under the terms of the purchase contract.”**

**EXHIBIT “A” (CONT.)**

E. If the director of water resources has issued a water availability report, the state real estate commissioner shall require that all promotional material and contracts for the sale of such unsubdivided lands adequately display the director of water resources’ report or a brief summary of the results prepared by the developer and approved by the real estate commissioner. If no report has been prepared by the director of water resources and the availability of water is unknown, the real estate commissioner shall require that all promotional material and contracts adequately display that no report has been prepared and that the availability of water is unknown.

1. See A.R.S.32-2195.04 and 2195.09 for additional information relating to sales and contract disclosures.

EXHIBIT “B”

The applicant for Public Report may submit, as part of their application package, a typed Public Report on a CD-RW. The following requirements and stipulations apply.

1. The report must be prepared from the Public Report template provided by the Department. (Microsoft Word 2000 or earlier).
2. The report must be prepared as a Word document in Word 2000 or earlier along with a printout in hard copy.
3. All exhibits required for the report must be on the CD-RW.
4. All references to leases should be deleted if no leasing is proposed.
5. Statements on the report must be provided in concise, plain language and must disclose all pertinent facts.

After review of the application, the Department will correct or amend the report as required and will return the CD-RW with a hard copy of the issued report.

**EXHIBIT “C”**

**CONFIDENTIAL**

1. A.R.S. 25-502(F) STATES: “Each licensing board or agency that issues professional licenses or certificates shall record the social security number of the licensee or certificate holder in its data base in order to aid the Department of Economic Security in locating non-custodial parents or the assets of the non-custodial parents.” You must provide the Department of Real Estate with your social security number, however, the number will not be disclosed to anyone other than a representative from another government agency in the course of the representative’s official duties.
2. LEGAL NAME:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
3. SOCIAL SECURITY NUMBER:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
4. I DECLARE THAT THE INFORMATION IS TRUE AND CORRECT.

5. SIGNATURE OF LICENSEE:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_DATE\_\_\_\_\_\_\_

**EXHIBIT “D”**

### 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 OR TUCSON ADRE | INSPECTION FEE[[1]](#footnote-1) |
| 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 |

|  |
| --- |
| **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 |

1. [↑](#footnote-ref-1)