

**SUBDIVISION DISCLOSURE REPORT**  
(PUBLIC REPORT)

FOR  
**MOUNTAIN VIEW RANCH**  
aka Windmill Hill at Mountain View Ranch

Registration No. DM19-059699

**SUBDIVIDER**

FH Stone Canyon Construction LLC  
3037 W Ina Rd. #121  
Tucson, Arizona 85741

Effective Date: October 18, 2019

**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.

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**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 CONTRACTS OR AGREEMENTS FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)\* MAY BE RESCINDED BY YOU WITHOUT CAUSE BY SENDING OR DELIVERING WRITTEN NOTICE OF RESCISSION BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE SIGNING.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 175 through 210 inclusive, 338, 339 and 346.

**The map of this subdivision** is recorded in Book 54 of Maps and Plats at page 5, records of Pima County, Arizona.

The subdivision is approximately 470 acres in size. It has been divided into 362. Lot boundaries will be corner staked.

**SEE ATTACHED EXHIBIT "B" FOR LISTING OF GENERAL NOTES AND PERMITTING NOTES AS SHOWN ON THE ABOVE NOTED SUBDIVISION MAP.**

**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:** Interstate 10 at State Route 83, Vail, Pima County, Arizona. Take I-10 east to Wentworth Rd/Colossal Cave Rd exit, turn left or North onto Wentworth Rd, crossing over I-10 (Wentworth Rd turns into Colossal Cave Rd north of I-10). Proceed to the Frontage Road/E Benson Hwy. Turn right or east onto Frontage Rd/E. Benson Hwy and proceed approximately 2 miles where the road will turn into Marsh Station Road. Proceed East approximately 1/8 mile to Sundown Ranch Road. Turn left or North on Sundown Ranch Rd into the subdivision. Turn either right or left onto E Sands Ranch Rd. to reach these lots.

## **UTILITIES**

**Electricity:** Tucson Electric Power, 520/623-7711. [www.tep.com](http://www.tep.com) Establishment fee of \$35.00, plus tax. \$200.00 deposit may be required.

**Telephone: Cox Communications** (866) 961-0027 [www.cox.com](http://www.cox.com). Establishment fee is approximately \$49.99 plus tax and possible deposit, for new service. Cost for basic phone service begins at \$9.99, plus tax. A bundled rate may be available.

Or

**CenturyLink** (866) 642-0444 <http://www.centurylink.com>. Establishment fee is approximately \$46.50, plus tax and possible deposit of \$150.00. A bundled rate may be available.

**Cable: DIRECTV** [www.directv.com](http://www.directv.com) (877) 788-7039. Currently there is a on time fee is \$30.00 plus tax to have the dish mailed homeowner. Services depend on the plat chosen by the homeowner. Check with the service provider for services available and costs. A bundled rate may be available

Or

**Cox Communications** (800) 229-6542 [www.cox.com](http://www.cox.com) Establishment fee is approximately \$60.00 plus tax and possible deposit, for new service. Costs for HD Cable service begin at \$24.99 plus tax and possible deposit, A bundled rate may be available.

Or

**Satellite TV Providers**

**Internet or Fiber Optic: CenturyLink** (866) 642-0444 <http://www.centurylink.com> Establishment fee is approximately \$27.50 plus tax and possible deposit of \$150.00. Internet (where available) \$27.50. Cable is a dish system. A bundled rate may be available.

Or

**Cox Communications** (800) 229-6542 [www.cox.com](http://www.cox.com) Establishment fee is approximately \$49.99 plus tax and possible deposit, for new service. A bundled rate may be available.

**Natural Gas:** Southwest Gas Company, 877/860-6020, [www.swgas.com](http://www.swgas.com). Establishment fee of \$35.00, plus tax. Deposit may be required of \$80.00.

**Water:** Vail Water Company, 520/647-3679. Establishment fee of \$504.00 and \$440.00 meter fee for ¾” meter, \$420.00 establishment fee and \$400.00 meter fee for a 5/8” meter and a Central Arizona Project hook-up fee of \$1,000.00 per lot for a 5/8” meter. Project hook up fee for ¾” meter is \$1500.00. Ball valve fee is \$60.50. \$100.00 deposit for new customer.

Developer advises joint trenching for utilities lines from lot line to dwelling is approximately \$2,500.00 to \$3,000.00 depending on building site.

**Sewage Disposal:** Individual septic systems will need to be installed by the lot purchaser, including plumbing from home to tank, tank, leach field and all required Pima County permits. Approximate cost is \$5,000.00 - \$6,000.00.

No refund of purchase price will be offered if an operational system cannot be installed.

**Garbage Services:** Whip and Spur Trash Company – 647-7537. \$36.00 per month. Twice weekly pickup, once weekly re-cycle. Republic Services 745-8820, \$38.32 per month, once weekly pickup and once weekly re-cycle.

**ALL UTILITIES HAVE BEEN COMPLETED FOR LOTS 338, 339 AND 346. IMPROVEMENTS FOR LOTS 175 THROUGH 194, INCLUSIVE AND 195 THROUGH 210, INCLUSIVE HAVE BEEN COMPLETED TO THE LOT LINES**

**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:** Access through asphalt paved public streets that are complete and being maintained by Pima County and ADOT. Maintenance cost included in real property taxes.

**Access within the Subdivision:** Access through asphalt paved private and public streets to be have bene completed. Maintenance for public streets is provided by Pima County, cost through real property taxes. Maintenance for private streets is provided by the Windmill Ridge at Mountain View Ranch Community Association. A

**Street Lights:** There are no street lights in this subdivision.

**Flood and Drainage:** There are no flood facilities installed in the subdivision. Culverts (CMP's) and concrete span arches will be installed at multiple wash crossings per the approved Pima County Paving & Drainage Plan.

**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.land.state.az.us](http://www.land.state.az.us), or call (602) 542-4631.

## **LOCAL SERVICES AND FACILITIES**

**Schools:** Acacia Elementary School – 12955 E. Colossal Cave Road, Vail, AZ 85641  
Old Vail Middle School – 13299 E. Colossal Cave Road, Vail, AZ 85641  
Cienega High School – 12775 E. Old Vail Road, Vail, AZ 85641  
Schools are 5-7 miles from the subdivision  
Vail School District, 520/879-2800 [www.vail.k12.az.us](http://www.vail.k12.az.us)

**SCHOOL FACILITIES AND BUS SERVICE MAY CHANGE. YOU SHOULD CONTACT THE LOCAL SCHOOL BOARD REGARDING THE CURRENT LOCATION OF SCHOOLS AND BUS SERVICE.**

**PURCHASERS ARE ADVISED THAT SCHOOL BOUNDARIES AND SCHOOL BUS TRANSPORTATION MAY CHANGE. YOU SHOULD CONTACT THE VAIL SCHOOL DISTRICT AT 520/879-2800 FOR CURRENT INFORMATION.**

**Shopping Facilities:** Safeway Center and other retail services are located at Houghton and Rita Roads – approximately 9.5 miles from the subdivision, Neighborhood Center approximately 10 miles from the subdivision, Old Vail Station Center, Quik Mart and Walgreen’s approximately 5.5 miles from the subdivision

**Public Transportation:** None available at this time.

**Medical Facilities:** Tucson Southeast, Urgent Care at 8045 S. Rita Road. – approximately 11 miles from the subdivision., 520/324-4000.

TMCOne, 9348 E. Rita Road #100, Tucson, AZ 85747-approximately 13 miles from subdivision, 520/324-4765.

**Fire Protection:** Rincon Valley Fire District by annexation, 14550 E. Sands Ranch Road, Vail, AZ 85641 520/647-3760.

*Subdivision is not in the fire district, but is in the response area. Homeowners may annex into the fire district, please contact Rincon Valley Fire District for additional information. Provider will bill for services provided if homeowner is not annexed.*

**Please dial 911 for emergency services.**

**Ambulance Service:** Ambulance available through 911.

**Police Services:** Pima County Sheriff, 1750 E. Benson Highway, Tucson, AZ 85714 520/351-4600, cost included in real property taxes.

**Please dial 911 for emergency services.**

**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:** There are no recreational facilities in the subdivision and no private streets included in this filing. Common Area “A” are private streets and Common Area “B” is open space, trails, entry monument and landscaping only with both to be completed and maintained by the Homeowners Association.

**Within the Master Planned Community:** This is not a Master Planned Community

### **ASSURANCES FOR COMPLETION OF IMPROVMENTS**

**Assurances for Completion of Subdivision Facilities:** Improvements have been completed for Lots 338, 339 and 346. An Assurance Agreement with Pima County is in place for lots 175 through 194, inclusive and 195 through 210, inclusive and improvements will be completed by the Subdivider by 20192210694.

**Assurances for Maintenance of Subdivision Facilities:** Homeowners Association has been created. Pima County and utility providers will maintain the respective facilities. CC&R's have been recorded.

### **PROPERTY OWNERS ASSOCIATIONS**

**Name and Assessments:** Windmill Ridge at Mountain View Ranch Community Association. The current monthly assessment is \$200.00 per year per household.

**Control of Association:** Control of the Association by the Declarant will terminate upon the sale of all lots to third persons other than the Declarant.

**Title to Common Areas:** Title will be transferred to the Homeowners Association at or prior to the end of the Declarant Control Period, as defined in the recorded covenants, conditions and restrictions for the subdivision.

**Membership:** All owners of lots in the subdivision will be members of the Homeowners 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 hilly with occasional small washes.

**Flooding and Drainage:** Pursuant to a letter from William H. Baker, Jr. P.E., of Baker & Associates Engineering, Inc., dated July 10, 2018, states in part....."the lots are not in a designated FEMA flood zone per map numbers: 04019C2890K and 04019C3475K, effective date 2/8/99, and that each lot (1-362 of Mountain View Ranch) has a building site that will be free from the 100 year flooding when construction for the subdivision is completed in accordance with the approved Drainage Report and Improvement Plans. As the lots lie outside of a designated regulatory FEMA designated flood zone, it is our understanding that flood insurance may not be required by FEMA, but may be required by public or private lending institutions or other parties."

**Soils:** In a letter dated February 7, 2017 signed by Francisco J. Jacinto. states in part..."the potential differential movement is a function of the depth and lateral extent of wetting of the supporting soils. It is extremely important that precautions be taken in design, construction preparations and maintenance to *minimize* the potential for moisture increases (from any source) beneath the structures. Significant wetting of the soils below the supporting soil and beyond the



above edge moisture distances could result in additional differential vertical movements and superstructure distortions. Care should be taken to prevent moisture from entering the supporting soils. Prolonged seepage, plumbing leaks, or any other event that increases the moisture of the soil could cause adverse movement of the structures.”

Homeowner is also cautioned regarding excessive watering and/or over-spray of irrigation. Subdivider shall not be responsible for any damage to persons or property caused by the alteration of the grade and/or soils conditions by the Homeowner or Homeowner’s representative. Homeowners are required to maintain lot grade and soil conditions as of the date of closing. It is the homeowner’s responsibility to notify landscape-related providers regarding the same.

**Adjacent Lands and Vicinity:** North, South and West of the subdivision, the land is zoned GR-1 (rural residential) and East of the subdivision, the land is zoned RH (rural homestead - state land). State land is also south of the subdivision.

**Note: Owners of the adjacent lands, 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 use for the adjacent lands will not change from that described above. Purchasers should contact the Pima County.**

**North:**

Open range exists to the north of the property. The Kinder Morgan pipeline is located approximately 1 mile to the northeast of the subdivision. The Railroad line is approximately one mile north of Mountain View Ranch. Cienega Creek National Preserve is located approximately 2 miles north of subdivision.

**South:**

I-10 is adjacent and south of Mountain View Ranch. South of the subdivision at 14550 E. Sands Ranch Road is a Rincon Valley Fire Station.

South of I-10 there is an El Paso Natural Gas Line that crosses Highway 83 and lots in the southern portion of Mountain View Ranch.

**East:**

State land is to the east of the property.

**West:**

Commercial development is proposed to the west on 200 acres surrounding Vail School District Administrative campus.

**Natural Gas Lines:** El Paso Natural Gas Pipeline is located approximately ¼ mile south of I-10 and the subdivision. There is a Kinder Morgan Pipeline located approximately 1 mile north of the subdivision.

**High Voltage Lines:** There are existing high voltage power lines located approximately 1/4 mile south of I-10. Voltage of lines is 115kv. The contact for Western Area Power Administration is 602/605-2525 (Lands Department), fax is 602/605-2630 and their website is [www.wapa.gov](http://www.wapa.gov).

Due to security regulations, available information is limited to the above. A 100' Electric Easement is recorded in Docket 249 at page 30.

Purchasers are advised that utility providers maintain generating plants throughout the areas that they service. Purchasers should contact the utility provider for further information regarding any changes to existing facilities or any new facilities that might be planned in the vicinity of the property.

**Termites:** During construction, 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, which 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.

**Note:** Purchasers are advised that the subdivision is situated in a desert area where native wildlife exists. During periods of construction activity, it is common for desert wildlife to actively migrate away from the development area. There are wild animals known to inhabit the area, such as birds, coyotes, bobcat, deer, mountain lions, and javalinas. Such animals may enter upon the residential properties and may present danger to persons and pets. Cockroaches, rattlesnakes, black widow spiders, scorpions, 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. If a buyer has concerns, he or she should seek the advice of a pest control company. Such animals may enter upon the residential properties and may present danger to person and pets.

**Construction and General Disclosures:** For the period of time that Subdivider is building in this community, there will be construction traffic and other development-related activities which may result in additional traffic, noise or dust for the period of development.

Subdivider recommends that you visit the community and drive around the general vicinity surrounding the community of at least several occasions on different days and at different times to familiarize yourself with physical and other conditions to determine whether there are additional material factors that might affect your decision to purchase a home in this subdivision. Since Subdivider cannot predict every circumstance that may be material to you as a purchaser, it is imperative that you satisfy yourself about the decision to purchase by investigating matters of concern to you.

## **SUBDIVISION USE AND RESTRICTIONS**

**Use:** This offering is for lot with dwelling (improved lots)  
**Zoning:** GR-1 (rural residential)

**Conditions, Reservations and Restrictions:** Purchasers will be subject to the provisions of the Declaration, Articles of Incorporation and Bylaws of the Homeowners Association, as well as

any design standard rules and regulations, restrictions as set forth on the recorded subdivision plat and any other zoning requirements Pima County may impose.

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

**Central Arizona Groundwater Replenishment District (“CAGR”):** The subdivision is enrolled as a Member Land of the Central Arizona Groundwater Replenishment District (“CAGR”) pursuant to A.R.S. §48-3772 and 48-3774. The CAGR is managed and operated by the Central Arizona Water Conservation District (“CAWCD”), which manages and operates the Central Arizona Project. The CAGR is obligated by statute to replenish the excess groundwater delivered to its members’ by the municipal water provider. CAGR is required to levy an annual replenishment assessment against each parcel of Member Land to pay its replenishment costs and expenses, pursuant to A.R.S. §48-3778. The replenishment assessment is not included in the tax estimates given above. A parcel’s replenishment assessment is based on an assessment rate established annually by the CAWCD Board of Directors, multiplied by the actual volume of excess groundwater reported to be delivered to the parcel in the previous year. Therefore, a parcel’s replenishment assessment will vary from year to year and will likely increase over time. The assessment is included in each parcel owner’s annual property tax statement and is collected by the County Treasurers Office. For further information, you may contact CAGR at (623) 869-2243 or visit their website at [www.cagr.com](http://www.cagr.com).

**CAGR FPN Number:** MRS – Vail Water Company, confirmation issued prior to numbering system

## **AIRPORTS**

**Military Airport:** Although this subdivision is not in the vicinity of the air space, Davis Monthan Air Force Base is approximately 13 miles west of the subdivision.

**Public Airport:** Although this subdivision is not in the vicinity of the air space, Tucson International Airport – approximately 21 miles from the subdivision.

## **TITLE**

**Title to this subdivision** is vested in Landmark Title Assurance Agency of Arizona, LLC, an Arizona limited liability company as Trustee under Trust No. 18231 as to lots 338, 339 and 346. Title is also vested in Landmark Title Assurance Agency of Arizona, LLC, an Arizona limited liability company as Trustee under Trust No. 18101 as to lots 175 through 194 inclusive and lots 196 through 210, inclusive.

**Applicant/Subdivider’s interest in** this subdivision is by an option agreement with Landmark Title Assurance Agency of Arizona, LLC, an Arizona limited liability company as Trustee under FORM Z3 - Expedited Template 3/18/2015

Trust No. 18231 as to lots 338, 339 and 346 and with Windmill Ridge Development LLC, an Arizona limited liability company as to lots 175 through 194 inclusive and lots 196 through 210, inclusive. The Memorandum of Option Agreement between Mountain View Ranch Investment Joint Venture LLC with Windmill Ridge Development LLC and FH Stone Canyon Construction LLC was recorded on March 20, 2019 in Sequence No. 20190790331.

In addition, there is an option agreement between Landmark Title Assurance Agency of Arizona, LLC, an Arizona limited liability company as Trustee under Trust No. 18101 with Windmill Ridge Development LLC, an Arizona limited liability company as to lots 175 through 194 inclusive and lots 196 through 210, inclusive. The Memorandum of Option Agreement between Mountain View Ranch Investment Joint Venture LLC and Windmill Ridge Development LLC was recorded on March 12, 2008 in Docket 13261 at Page 2746.

**Option Agreements:** Applicant/Subdivider FH Stone Canyon Construction LLC's only interest in the development is a right to purchase lots pursuant to the described option agreements. You have no assurance that either Windmill Ridge Development LLC or FH Stone Canyon Construction, LLC will purchase the built homes on lots developed by the subdivider.

**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 September 10, 2019 issued by Title Security Agency, LLC. **You should obtain a title report and determine the effect of the listed exceptions.**

**EXCEPTIONS: SEE EXHIBIT "A" ATTACHED - NEED TITLE REPORT TO COMPLETE**

### **METHOD OF SALE OR LEASE**

**Sales:** YOUR VESTED INTEREST/OWNERSHIP INTEREST IN THE PROPERTY WILL BE EVIDENCED BY THE SUBDIVIDER DELIVERING A RECORDED DEED TO YOU AND BY YOUR SIGNING A PROMISSORY NOTE AND MORTGAGE OR DEED OF TRUST FOR THE UNPAID BALANCE, IF ANY. YOU SHOULD READ THESE DOCUMENTS BEFORE SIGNING THEM.

### **EARNEST MONEY AND DOWN PAYMENT DEPOSIT**

**Prospective Purchasers Are Advised That Earnest Money Deposits, Down Payments and Other Advanced Monies Will Be Placed in A Neutral Escrow Account. Such Monies Will Not Be Paid to the Seller Until Close of Escrow**

**Release of Liens and Encumbrances:** Upon close of escrow and recordation of a deed to buyer.

**Use and Occupancy:** Upon close of escrow and recordation of a deed to buyer

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

**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 combined primary and secondary property tax rate for this subdivision for the year 2018 is 14.8792 per \$100.00 assessed valuation. The estimated property tax for an improved lot, based on the above tax rate and average sales price of \$ 500,000.00, is \$5,751.68.

**ANOTHER SOURCE FOR PROPERTY TAX INFORMATION IS THE ASSESSOR'S OFFICE:**

**Pima County Treasurer's Office  
240 N. Stone Ave., Arizona 85701  
520-740-8341**

**Special District Tax or Assessments:** There are no special district taxes or assessments at this time.

**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, DECLARATION OF CONDOMINIUM, BYLAWS FOR THIS SUBDIVISION TO DETERMINE THE RIGHTS OF LOT/UNIT 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/UNITS. FURTHER, YOU SHOULD DETERMINE FOR YOURSELF IF SUBDIVIDER'S ARRANGEMENTS AND PLANS FOR THE PAYMENT OF ASSESSMENTS ON UNSOLD LOTS/UNITS WILL BE SUFFICIENT TO FULFILL THE NEEDS, DEMANDS AND FINANCIAL OBLIGATIONS OF THE ASSOCIATION, AS SET FORTH IN THE DECLARATION AND BYLAWS.**

ds

**EXHIBIT "A"**

**SCHEDULE "B" ITEMS**

- A. The rights of parties in possession by reason of any unrecorded lease or month to month tenancies affecting any portion of the within described property.
- B. This report is for informational purposes only and is not to be considered a commitment to issue any form of title insurance. It is for the use only of the party who ordered it and liability, if any, is limited to the amount of the fee paid. Receipt and use of this report shall be evidence of the acceptance of the terms hereof.
- C. There are no other recorded matters affecting the title to the land described in this report.

- D. RESERVATIONS contained in the Patent from the United States of America, recorded in Book 115 of Deeds at page 388, reading as follows:

RESERVED from the lands hereby granted a right of way thereon for ditches or canals constructed by the authority of the United States of America. Excepting and reserving, however, to the United States all the coal and other minerals in the lands so entered and patented, together with the right to prospect for, mine, and remove the same pursuant to the provisions and limitations of the Act of December 29, 1916 (39 Stat., 862).

- E. EASEMENTS, restrictions, reservations and conditions as set forth on the recorded plat of said subdivision recorded in Book 54 of Maps and Plats at page 5.
- F. TAXES AND ASSESSMENTS collectible by the County Treasurer, a lien not yet due and payable for the following year:

2019

Tax Parcel No.s:

305-21-1810 through 305-21-2000 (Lots 175 through 194)  
305-21-2020 through 305-21-2160 (Lots 196 through 210)  
Tax Parcel No. 305-21-3440 (Lot 338)  
Tax Parcel No. 305-21-3450 (Lot 339)  
Tax Parcel No. 305-21-3560 (Lot 350)  
Tax Parcel No. 305-21-3610 (Lot 355).

- G. RESTRICTIONS, CONDITIONS, COVENANTS, RESERVATIONS, including but not limited to any recitals creating easements, liabilities, obligations or party walls, omitting, if any, from the above, any restrictions based on race, color, religion sex, handicap, familial status or national origin contained in instrument:

Recorded in Docket 12784  
Page 1956

- H. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Book 107 of Miscellaneous Records at page 491  
Purpose communication facilities  
(Lots 192, 193, 194, 196, 338)

- I. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket 1397  
Page 409  
Purpose utilities

- J. EASEMENT and rights incident thereto, as set forth in instrument:

Recorded in Docket 1696  
Page 483  
And in Docket 1696 at page 485  
Purpose utilities  
(Lots 192, 193, 194, 196, 338)

- K. EASEMENT and rights incident thereto, as set forth in instrument:  
  
Recorded in Docket 11412  
Page 541  
Purpose public trail
  
- L. EASEMENT and rights incident thereto, as set forth in instrument:  
  
Recorded in Docket 12632  
Page 393  
Corrected in Docket 12662 at page 2347  
Purpose telecommunication facilities  
(Lot 338)
  
- M. EASEMENT and rights incident thereto, as set forth in instrument:  
  
Recorded in Docket 13167  
Page 3455  
Purpose slope and drainage  
(Lot 338)
  
- N. EASEMENT and rights incident thereto, as set forth in instrument:  
  
Recorded in Docket 13182  
Page 2924  
Purpose slope and drainage  
(Lot 179)
  
- O. EASEMENT and rights incident thereto, as set forth in instrument:  
  
Recorded in Docket 13182  
Page 2929  
Purpose slope and drainage  
(Lot 187)
  
- P. EASEMENT and rights incident thereto, as set forth in instrument:  
  
Recorded in Docket 13182  
Page 2944  
Purpose slope and drainage  
(Lot 193)
  
- Q. EASEMENT and rights incident thereto, as set forth in instrument:  
  
Recorded in Docket 13182  
Page 2949  
Purpose slope and drainage  
(Lot 194)
  
- R. EASEMENT and rights incident thereto, as set forth in instrument:  
  
Recorded in Docket 13182  
Page 2959  
Purpose slope and drainage  
(Lot 203)



- S. EASEMENT and rights incident thereto, as set forth in instrument:  
 Recorded in Docket 13182  
 Page 2964  
 Purpose slope and drainage  
 (Lot 209)
  
- T. THE RIGHT OF THE STATE OF ARIZONA to prohibit, limit, control or restrict access to the highway named below, as set forth in instrument:  
  
 Recorded in:  
 Docket 1613 at page 470  
 Docket 3253 at page 165  
 Docket 3600 at page 496  
 Name of Highway: Interstate 10
  
- U. LIABILITIES AND OBLIGATIONS imposed upon said land by reason of its inclusion within the following named Districts:  
  
 Central Arizona Groundwater Replenishment District  
 Rincon Valley Fire District (Lot 339 only) by Sequence No. 20111780178 and in Document No. 20192190012.
  
- V. AGREEMENT according to the terms and conditions contained therein:  
  

Purpose	Memorandum of Option
Dated	February 19, 2008
Recorded	March 12, 2008
Document No.	
Docket	13261
Page	2746
(affects Parcel II	
  
- W. AGREEMENT according to the terms and conditions contained therein:  
  

Purpose	Memorandum of Option
Dated	March 8, 2019
Recorded	March 20, 2019
Document No.	20190790331
(Affects Parcels II and III )	
  
- X. DEED OF TRUST given to secure the original amount shown below, and any other amount payable under the terms thereof:  
  

Amount	\$380,000.00
Dated	August 26, 2019
Recorded	August 26, 2019
Document No.	20192380766
Docket	
Page	
Trustor company	Build Windmill Hill at MVR, LLC, an Arizona limited liability
Trustee Company	Title Security Agency, LLC, a Delaware Limited Liability
Beneficiary (affects Lot 193)	Dollar Mark, LLC, an Arizona limited liability company
  
- Y. DEED OF TRUST given to secure the original amount shown below, and any other amount payable under the terms thereof:

Amount	\$296,000.00
Dated	August 1, 2019
Recorded	August 1, 2019
Document No.	20192130496
Docket	
Page	
Trustor company	Build Windmill Hill at MVR, LLC, an Arizona limited liability
Trustee Company	Title Security Agency, LLC, a Delaware Limited Liability
Beneficiary (affects Lot 339)	Dollar Mark, LLC, an Arizona limited liability company

**VESTING INFORMATION:**

Special Warranty Deed recorded February 22, 2007 in Document No. 12997, Page 3405; Grantee: Lawyers Title Agency of Arizona, L.L.C., an Arizona limited liability company, as Trustee under Trust No. 18101-T.  
(Parcel 2)  
(with other property)

Special Warranty Deed recorded July 31, 200 in Docket 13612, Page 5334; Grantee: Landmark Title Assurance Agency of Arizona, LLC, an Arizona limited liability company under Trust No. 18231-T.  
(Parcel 1)

Special Warranty Deed recorded August 26, 2019 in Document No. 20192380765; Grantee: Build Windmill at MVR, LLC, an Arizona limited liability company.  
(Lot 193)

Special Warranty Deed recorded August 1, 2019 in Document No. 20192130495; Grantee: Build Windmill at MVR, LLC, an Arizona limited liability company.  
(Lot 339)

**PREPARED BY:**

Yolanda Carlson  
Title Officer  
520-885-1600

**END OF SCHEDULE B**

**EXHIBIT “B”**

**Subdivision Map Notes**

**GENERAL NOTES**

1. THE GROSS AREA OF THIS SUBDIVISION IS 470± ACRES.
2. THE BASIS OF BEARING FOR THIS SUBDIVISION IS THE WEST LINE OF THE SOUTH HALF OF SECTION 26 FROM THE BLANTON SURVEY OF 1959. SAID BEARING BEING N00°18'49"W.
3. TOTAL MILES OF NEW PUBLIC STREETS IS 5.34± MILES.  
TOTAL MILES OF NEW PRIVATE STREETS IS .61± MILES.
4. THIS SUBDIVISION LIES WITHIN AN AREA DESIGNATED AS HAVING ASSURED WATER SUPPLY.

**PERMITTING NOTES**

1. THERE WILL BE NO FURTHER SUBDIVIDING OR LOT SPLITTING WITHOUT THE WRITTEN APPROVAL OF THE BOARD OF SUPERVISORS.
2. ZONING IS GR-1.
3. GROSS DENSITY IS .77 RAC.
4. SEWAGE DISPOSAL FOR LOTS 1 - 362 WILL BE BY PRIVATE ON-SITE DISPOSAL SYSTEMS.
5. THIS PLAT IS SUBJECT TO SECTION 18.77.040 SCENIC ROUTES ALONG INTERSTATE 10, SONOITA HIGHWAY AND MARSH STATION ROAD.