

HUD/OILSR  
CERTIFICATION  
YES  NO

SECTION III  
QUESTIONNAIRE  
SUBDIVIDED LANDS

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

1. Complete name of subdivision, as shown in the Dedication of the recorded map:  
**“Timberline Place East”, Condominium**
  - (a) Name which will be used in marketing or promotional activity, if different from above (aka):  
**Timberline Place**
2. List the lots or units included in this application:  
**Units 1001-1102 inclusive; Units 2001-2102 inclusive**
3. APPLICANT (Subdivider):
  - (a) Name(s): **Aspen Timberline II, L.L.C., an Arizona limited liability company**
  - (b) Address: **2415 East Camelback Road, Suite 900  
Phoenix, Arizona 85016**
  - (c) Telephone: **602-553-4100** Fax: **602-957-7517**

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

- (d) If the subdivider is other than an individual, such as a corporation, partnership or trust:
  - i. Name the type of legal entity:  
**Limited liability company**
  - ii. Give name and address of all officers, general partners, members, trustees or other persons who exercise control of the entity:  
**Aspen Enterprises, L.L.C.,  
an Arizona limited liability company  
2415 East Camelback Road, Suite 900  
Phoenix, Arizona 85016  
Managing Member of the Applicant**

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

**No person or entity owns a 10% or more capital/equity interest in the Applicant, however, Aspen Timberline Properties, L.L.C., an Arizona limited liability company, has a residual profits interest in the Applicant and such residual profits interest is expected to be in excess of 10% of the total profits of the Applicant.**

**Aspen Timberline Holding Company, L.L.C., an Arizona limited liability company, has a variable profits interest in Aspen Timberline Properties, L.L.C. that is expected to be in excess of 10% of the total profits, and TNT Flag, L.L.C., an Arizona limited liability company, has a variable profits interest in Aspen Timberline Properties, L.L.C. that is expected to range from between 0% to in excess of 10% of the total profits.**

**Aspen Enterprises, L.L.C., an Arizona limited liability company, is the sole member of Aspen Timberline Holding Company, L.L.C., an Arizona limited liability company.**

**John E. Werstler is a member of TNT Flag, L.L.C., an Arizona limited liability company, with a 50% interest. Robert E. Kempfert, Jr. is a member of TNT Flag, L.L.C., an Arizona limited liability company, with a 50% interest.**

**D.L. Meyers, Inc., an Arizona corporation, is the manager and a member of Aspen Enterprises, L.L.C. with a 51% interest. Donald L. Meyers is a member of Aspen Enterprises, L.L.C. with a 29% interest. Eli A. Castronova is a member of Aspen Enterprises, L.L.C. with a 20% interest.**

**Donald L. Meyers is the sole shareholder of D.L. Meyers, Inc.**

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

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

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

- (e). If the subdivider is a Subsidiary Corporation, list the name, address, and state of incorporation of the Parent Corporation:

**The subdivider is a limited liability company, not a corporation, however, the subdivider may be considered a subsidiary entity of Aspen Enterprises, L.L.C., an Arizona limited liability company, whose address is : 2415 East Camelback Road, Suite 900, Phoenix, AZ 85016, and additional information concerning the owners of Aspen**

**Enterprises, L.L.C. is set forth above in the response to question 3(d)(iii).**

- (f). 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. Subdivisions located in Arizona:  
**None**
  - ii. Subdivisions, wherever located, for which registration is required pursuant to the Federal Interstate Land Sales Full Disclosure Act:  
**None**
  - iii. Subdivisions, wherever located, for which registration would have been required pursuant to the Federal Interstate Land Sales Full Disclosure Act but for the exemption for subdivisions where lots are all twenty acres or more in size or other exemption:  
**None**
  
- (g) List any other subdivisions not described in (f) 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:  
**None**
  - ii. The subdivider:  
**None**
  - iii. Any principal or officer in the holder or subdivider:  
**None**

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.

- (h) **Each applicant for Public 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, please 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.re.state.az.us](http://www.re.state.az.us).

- 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 Public 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

- 5) 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, 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.

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

DATED this \_\_\_\_\_ day of October , 2006

---

Eli A. Castronova  
(Printed name and signature of authorized party)

4. SUBDIVISION MAP:

- (a) Final Plat Recorded on **September 26, 2006** at instrument no. **06-3404546**, records of **Coconino** County, State of **Arizona**.
- (b) Declaration of Condominium/Horizontal Property Regime, if applicable, recorded **September 26, 2006** at instrument no. **06-3404547** records of **Coconino** County, State of **Arizona**.
- (c) Gross acreage in entire subdivision:  
**Approximately 13.6198 acres**
- (d) Specify number of lots, units, parcels or tracts within entire subdivision:  
**204 Units**
- (e) Are lot corners permanently staked?  Yes  No

Please explain method of staking:

**At lot corners and radii by registered engineering firm.**

5. SUBDIVISION LOCATION:

Exact street location, City, County and State (if outside any city or town, provide miles and directions from the nearest city or town to the subdivision):

**4343 East Soliere Avenue, City of Flagstaff, Coconino County, Arizona**

6. SUBDIVISION CHARACTERISTICS AND ADJACENT LANDS:

- (a) Describe the physical characteristics of the subdivision e.g., level, hilly, rocky, loose soil, washes, arroyos, canyons, etc.

**Slopes slightly from the Northeast to Southwest**

- (b) Is the subdivision subject to any known flooding or drainage problems or downstream from any existing flood structure/dam?

Yes  No

If yes, describe: **N/A**  
(Use separate sheet if necessary)

- (c) Are the subdivision lots subject to subsidence, or expansive soils?

Yes  No

If yes, provide description and remedy in plain language from a registered engineer. **N/A**

- (d) Describe any known geological conditions such as fissures, sink holes or other, within or lying close to the subdivision, which would or may be detrimental to a purchaser's health, safety or welfare:

**None known**

- (e) Describe any known environmental conditions, which would or may be detrimental to a purchaser's health, safety or welfare:

**None known**

- (f) Describe any known environmental soil remediation within or lying close to the subdivision:

**None known**

- (g) Is the subdivision within a FEDERAL SUPERFUND or STATE WQARF SITE?  Yes  No

- (h) Provide the current zoning codes and their definitions for adjacent lands, including American Indian Reservation Lands:

**South: HR – High Density Residential; West RR & HR – Rural Residential and High Density Residential; North: I-40 and East: UC – Urban Commercial**

**NOTE: INFORMATION ON AMERICAN INDIAN RESERVATION LANDS MAY BE OBTAINED USING THE INTER TRIBAL COUNCIL OF ARIZONA (ITCA) WEBSITE, <http://www.itcaonline.com/tribes.html>.**

- (i) Describe existing and proposed land uses adjacent to and in the vicinity (including American Indian reservation lands), 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)

**Interstate-40 lies less than one-quarter (1/4) of a mile to the North of the subdivision which could potentially create noise for some of the Units. In addition, the Burlington Santa Fe railroad tracks, are approximately one mile north of the subdivision. Trains may pass on the railroad tracks at various times of the day and night, and noises from the railroad and the interstate may be heard in the subdivision and from inside the Units. Sounds from the railroad and the highway could be affected by atmospheric conditions that vary from time to time, such as wind direction, temperature and humidity.**

**There is an adjacent apartment complex to the West of the subdivision.**

**To the South of the subdivision there is a golf course as well as residential subdivisions.**

**To the East of the subdivision is vacant land of which the Rio de Flag, washes and drainage areas currently lie. Approximately one mile Northeast of the subdivision is a Purina pet food manufacturing plant. The Purina plant is currently engaged in the business of producing dog food, but there is no guarantee that this business will continue (or will continue at its current capacity) in the future. Depending upon atmospheric conditions that vary from time to time, such as wind direction, temperature and humidity, noxious odors from the Purina plant may be detected in the subdivision and inside the Units.**

**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.**

- (j) 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:

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

- (k) Are there any existing or proposed high voltage power lines (115kv or greater) or any existing or proposed substations (115kV or greater) within the boundary of the subdivision or within ½ miles of the subdivision boundary?  Yes  No

If yes, please provide a description including the voltage, geographical location in relation to the subdivision identifying roads if any, and state the utility responsible for the operation or construction of the transmission lines and/or substation along with the utility's contact information and website if available.

Note: If a yes answer is given, the public report shall include the above information and the following paragraph in capital letters and bold print.

**INFORMATION ON A PROPOSED OR EXISTING TRANSMISSION LINE AND SUBSTATION MAY BE AVAILABLE FROM THE ARIZONA CORPORATION COMMISSION OR FROM THE UTILITY COMPANY. IN ADDITION TO THE ABOVE DISCLOSED INFORMATION, BUYER SHOULD CONTACT THE UTILITY COMPANY FOR FURTHER AVAILABLE INFORMATION WHICH MAY INCLUDE STRUCTURE HEIGHTS, SCHEMATICS OF WHAT THE STRUCTURES WILL LOOK LIKE AND CONSTRUCTION SCHEDULES.**

- (l) Is the subdivision located within five miles of the borders of an Indian reservation?  Yes  No

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

Note: In addition to any prior information given relating to reservation lands and its use, the above information shall be included in the public report along with the following paragraph in capital letters and bold type.

**THIS SUBDIVISION IS LOCATED WITHIN FIVE MILES OF AN AMERICAN INDIAN RESERVATION. ACTIVITIES ON THE RESERVATION INCLUDE OR MAY INCLUDE OPEN RANGE, AGRICULTURAL OPERATIONS, AIRCRAFT OPERATIONS, INDUSTRIAL OPERATIONS AND DAIRY FARMS. A RESERVATION HAS ITS OWN LAWS GOVERNING THE LAND WITHIN ITS BOUNDARIES. THESE MAY INCLUDE TRESPASSING, DUMPING,**

**ARCHAEOLOGY, HUNTING, FISHING, ETC. IN ADDITION, CERTAIN AREAS OF THE RESERVATION MAY BE NONPUBLIC-CLOSED AREAS WHICH REQUIRE SPECIAL PERMISSION TO ENTER. THOROUGHFARES AND ROADS ON THE RESERVATION MAY NOT BE AVAILABLE FOR PUBLIC USE.**

7. AIRPORTS:

(a) Military Airports

(i) Is all or any portion of the subdivision located in territory in the vicinity of a military airport as defined in A.R.S. 28-8461?

Yes  No

If yes, provide the name, location and distance from the subdivision:  
**N/A**

(ii) Is all or any portion of the subdivision located in territory in the vicinity of an ancillary military facility as defined in A.R.S. 28-8461?

Yes  No

If yes, provide the name, location and distance from the subdivision:  
**N/A**

(iii) Is all or any portion of the subdivision located under a military training route as defined in A.R.S. 28-8461 and delineated in the military training route map prepared pursuant to A.R.S. 37-102?

Yes  No

If yes, please include the following disclosure in the Public Report:

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

(iv) Is all or any portion of the subdivision located in a high noise or accident potential zone as defined in A.R.S. 28-8461?

Yes  No

If yes, please explain: **N/A**

**NOTE: A YES ANSWER TO ANY OF THE MILITARY QUESTIONS REQUIRES YOU TO INCLUDE THE APPROPRIATE MAP(S) AS AN EXHIBIT IN YOUR PUBLIC REPORT.**

(b) Public Airports

Is all or any portion of the subdivision located in territory in the vicinity of a public airport as defined in A.R.S. 28-8486?

Yes  No

If yes, provide the name, location and distance from the subdivision: **N/A**

(c) Is all or any portion of the development located in the vicinity of an airport located on an American Indian reservation?

**No**

(d) If not provided above, provide the name, location and distance from the subdivision of the nearest public or private airport.

**Flagstaff City Airport  
211 West Aspen Avenue, Flagstaff, Arizona  
Approximately 3 ½ miles west of the subdivision**

8. ELECTRICITY:

(a) Are electric facilities available to this subdivision?  Yes  No

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

**Arizona Public Service (800) 253-9405 [www.aps.com](http://www.aps.com)**

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

**On-site**

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

**Previously completed**

(e) Estimated completion date of facilities to the lot lines. (specify if conduit only): (Month-Day-Year)

**Previously completed**

If conduit only, explain how and when facilities will be completed and who is responsible for the costs: **N/A**

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

**Zero-Previously completed**

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

**Zero-Previously completed**

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

**Purchaser's cost to receive service is a \$25.00 service establishment fee, plus tax, and a security deposit, if applicable.**

9. STREET LIGHTS:

- (a) Are street light facilities available within this subdivision:  
 Yes  No

**The subdivision does not have street lights, but there is lighting throughout the subdivision in the form of light posts**

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

**Previously completed**

- (c) Estimated completion date of facilities: (Month-Day-Year)

**Previously completed**

- (c) Who pays for the electricity?

**Homeowners Association**

- (e) Estimated costs lot purchasers will be required to pay toward electricity:

**Included in Homeowners Association assessments**

10. TELEPHONE:

- (a) Are telephone facilities available to this subdivision?  Yes  No

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

**Qwest Communications 1-800-244-1111 (website: [www.qwest.com](http://www.qwest.com)).**

- (d) Where are present facilities in relation to this subdivision? (Distance from farthest lot included in this application)

**On-site**

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

**Previously completed**

- (e) Estimated completion date of facilities to the lot lines (specify if conduit only): (Month-Day-Year)

**Previously completed**

- (i) If conduit only, explain how and when facilities will be completed and who is responsible for the costs: **N/A**

- (f) Estimated costs lot purchaser will have to pay for completion of facilities to his lot line:

**Zero- Previously completed**

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

**Zero- Previously completed**

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

**Purchaser's cost to receive service is a \$27.50 per line hook up fee; a deposit or advance payment may be required.**

11. CABLE:

- (a) Are cable facilities available to this subdivision?  Yes  No

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

**Flagstaff Cablevision (928) 774-5336 [www.buytelco.net](http://www.buytelco.net)**

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

**On-site**

- (e) Who will be responsible for completion of the facilities to the lot lines?

**Previously completed**

- (f) Estimated completion date of facilities to the lot lines (specify if conduit only): (Month-Day-Year)

**Previously completed**

If conduit only, explain how and when facilities will be completed and who is responsible for the costs: **N/A**

- (g) Estimated costs lot purchaser will have to pay for completion of facilities to his lot line:

**Zero-Previously completed**

- (h) Estimated costs lot purchaser will have to pay for completion of facilities from his lot line to his dwelling:

**Zero-Previously completed**

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

**Purchaser's cost to receive service is a one time set up/activation fee of \$39.95. At this time no security deposit is required. Purchasers should check with Cablevision for additional information regarding types of services available as well as monthly costs associated with that service.**

12. NATURAL GAS:

- (a) Are natural gas facilities available to this subdivision?  Yes  No
- (b) If facilities are available, state name, telephone number and website of company, which will provide service:  
**UniSource Energy Services (928) 774-4592 website: [www.uesaz.com](http://www.uesaz.com)**
- (c) Where are present facilities in relation to this subdivision? (Distance from farthest lot included in this application)  
**On-site**
- (d) Who will be responsible for completion of the facilities to the lot lines?  
**N/A - Previously completed**
- (e) Estimated completion date of facilities to the lot lines: (Month-Day-Year)  
**Previously completed.**
- (f) Estimated costs lot purchaser will have to pay for completion of facilities to his lot line:  
**Zero-Previously completed**
- (g) Estimated costs lot purchaser will have to pay for completion of facilities from lot line to his dwelling:  
**Zero-Previously completed**
- (h) Upon completion of facilities, what other costs or requirements exist before lot purchasers can receive service? (Current service charges, current hook-up fees, meter fees, current turn-on fees)  
**Purchaser's cost to receive service is \$25.00, plus tax, service charge. A security deposit may be required.**
- (i) May bottled propane gas be used?  Yes  No

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

13. WATER:

- (a) Is a domestic water supply available to this subdivision?  
 Yes  No

(b) Will the water be supplied by a public water system, as defined by A.R.S. §49-352?  Yes  No  
If yes, proceed to subsection (c). If no, go to subsection (o).

(c) Name, telephone number and website of water provider:

**City of Flagstaff (928) 779-7637 website: [www.flagstaff.az.gov](http://www.flagstaff.az.gov)**

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

**In compliance**

If in noncompliance, provide an explanation: **N/A**

(e) If the water provider is a public service corporation, does it possess a Certificate of Convenience and Necessity from the Arizona Corporation Commission allowing it to provide water to this subdivision?

Yes  No **N/A-- City of Flagstaff is provider**

If no provide an explanation: **N/A**

(f) Where are present water facilities in relation to this subdivision?  
(Distance from farthest lot included in this application)

**On-site**

(g) Who will be responsible for completion of the facilities to the lot lines?

**Previously completed**

(h) Estimated completion date of facilities to the lot lines: (Month-Day-Year)

**Previously completed**

(i) Will fire hydrants be installed  Yes  No, and if yes, when?  
(Month-Day-Year)

**Previously completed**

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

**Zero-Previously completed**

(k) Estimated costs lot purchaser will have to pay for completion of facilities from lot line to dwelling:

**Zero-Previously completed**

(l) Upon completion of facilities, what other costs or requirements exist before lot purchaser can receive service? (Service charges, hook-up fees, turn-on fees, meter fees, development fees, etc.)

**None**

- (m) Who is or will be responsible for maintenance of the water lines within this subdivision other than from lot line to dwelling?

**The City of Flagstaff in part and the Homeowners Association in part. The subdivision has public main water lines throughout the subdivision as well as private water lines from such public main water lines to the various buildings within the subdivision. The City of Flagstaff is responsible for the maintenance of the public main water lines and the Homeowners Association is responsible for maintenance of the private water lines within the subdivision.**

- (n) Who is or will be responsible for maintenance of the water lines outside this subdivision?

**City of Flagstaff**

- (o) If a private or shared well is to be utilized, describe all requirements and costs involved to install an operational domestic water system: (Include all governmental licensing/permitting requirements and their costs; average depth to water; drilling requirements and costs; equipment costs; all other necessary costs) **N/A** (Use separate sheet if necessary)

- (p) If the source of water is a private or shared well and potable water cannot be obtained from a private or shared well, will lot purchaser be offered a refund of the purchase price?  Yes  No **N/A**

If yes, explain any conditions or restrictions involving the refund: **N/A**

- (q) If water is to be transported/hailed to individual lots by lot purchasers for domestic use, provide name and location of the supplier; provide cost estimates to be computed on a monthly basis for a four-member family (include costs of water; cistern and other holding tanks necessary; pumps; and any other costs necessary to install an operational water system): **N/A** (Use separate sheet if necessary)

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

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

NOTE: The above answers must be in conformance with the findings and requirements of ADWR (See required document No. 6), ADEQ (See required document No. 13) and the Arizona Corporation Commission (ACC). You are advised to confirm that the water provider possesses a Certificate of Convenience and Necessity (CC&N) from the ACC, if required. Failure to comply with the requirements of ADWR, ADEQ and ACC will cause delays in processing this application. For information contact:

ADWR, Office of Assured and Adequate Water Supply	(602) 417-2465
ADEQ, Engineering Review Department	(602) 771-4677
ACC, Utilities Division	(602) 542-4251

14. CAGRD Fees:

If the answer to either of the following questions is “yes”, include notice from the Central Arizona Groundwater Replenishment District (CAGRD) confirming payment of all fees. (CAGRD, Telephone No. 623-869-2380) **See required document No. 7:**

- (a) Is the property enrolled as a Member Land of the CAGRD pursuant to A.R.S. §48-3774?  Yes  No
- (b) Will the property be served by a municipal water provider whose service area is currently enrolled as a Member Service Area of the CAGRD pursuant to A.R.S. §48-3780?  Yes  No

15. SEWAGE COLLECTION, TREATMENT AND DISPOSAL:

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

**Municipality—City of Flagstaff**

**IF INDIVIDUAL ON-SITE WASTEWATER TREATMENT SYSTEM WILL BE USED, GO DIRECTLY TO NO. 16**

- (b) Will a dry sewer system be installed for future connection to a central provider?  Yes  No

- (i) Name of future provider: **N/A**

- (ii) Estimated cost to connect: **N/A**

- (iii) Date of connection: **N/A** (Month-Day-Year)

- (iv) Will individual on-site wastewater treatment systems be temporarily required?  Yes  No

- If yes, answer questions in No. 16.

- (v) Estimated cost to remove the on-site wastewater treatment system: **N/A**

- (c) Name, telephone number and website of sewage collection, treatment and disposal system provider:

**City of Flagstaff (928) 779-7637 website: [www.flagstaff.az.gov](http://www.flagstaff.az.gov)**

- (d) What is the compliance status of the sewage collection, treatment and disposal provider with the ADEQ as of the date of this application?

**In compliance**

If in noncompliance, provide an explanation: **N/A**

- (e) If the sewage collection, treatment and disposal system provider is a public service corporation, does it possess a CC&N from the Arizona Corporation Commission allowing it to provide service to this subdivision?  
 Yes  No **N/A--City of Flagstaff is provider**

If no, provide an explanation:

- (f) Who will be responsible for completion of the sewage collection, treatment and disposal facilities to the lot lines:

**Previously completed**

- (g) Estimated completion date of facilities to the lot lines: (Month-Day-Year)

**Previously completed.**

- (h) Estimated costs lot purchaser will have to pay for completion of facilities to his lot lines:

**Zero--Previously completed**

- (i) Estimated costs lot purchaser will have to pay for completion of facilities from lot line to his dwelling:

**Zero--Previously completed**

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

**None--Previously completed**

- (k) Who is responsible for maintenance of the sewage collection, treatment and disposal facilities within this subdivision other than from lot line to dwelling?

**Homeowners Association**

- (l) Who is responsible for maintenance of the sewage collection, treatment and disposal facilities outside this subdivision?

**City of Flagstaff**

- (m) What costs, if any, will lot purchasers be responsible to pay toward maintenance of sewage collection, treatment and disposal facilities?

**Included in Homeowners Association assessments and property taxes**

16. INDIVIDUAL ON-SITE WASTEWATER TREATMENT SYSTEMS:

- (a) Describe the type of individual on-site wastewater treatment system lot purchasers will be required to install: **N/A**

- (b) Describe all requirements and costs involved to install an operational individual on-site wastewater treatment system: (Include all governmental licensing/permitting requirements and their costs; equipment,

construction, and all other necessary costs, including the estimated annual operation and maintenance costs): **N/A** (Use separate sheet if necessary)

- (c) If an operational individual on-site wastewater treatment system cannot be installed, will lot purchaser be offered a refund of the purchase price?  
 Yes  No **N/A**

If yes, explain any conditions or restrictions involving the refund. **N/A**

17. SEWER TREATMENT PLANTS

- (A) Is the sewer treatment plant for this subdivision adequate to handle the addition of these lots?  Yes  No

If yes, then go to question 18.

- (B) Who is responsible for the completion/extension/addition of the sewer treatment plant that will service this subdivision? **N/A**
- (C) Estimated completion date of the sewer treatment plant: **N/A**  
(Month-Day-Year)
- (D) Estimated costs lot purchaser will have to pay for the completion of the sewer treatment plant: **N/A**
- (E) Upon completion who is responsible for the maintenance of the sewer treatment plant? **N/A**
- (F) What arrangements have been made to assure the completion and delivery of the facilities? **N/A**

NOTE: The answers to Nos. 16, 17 and 18 above must be in conformance with the findings and requirements of ADEQ (See required document No. 13) and the Arizona Corporation Commission (ACC). You are advised to confirm that the sewer provider possesses a Certificate of Convenience and Necessity (CC&N) from the ACC, if required. Failure to comply with the requirements of ADEQ and ACC will cause delays in processing this application. For information contact:

ADEQ, Engineering Review Department (602) 771-4677  
ACC, Utilities Division (602) 542-4251

18. ACCESS STREETS AND ROADS:

- (a) Is legal and permanent access provided to the subdivision, and lots within the subdivision, over terrain, which may be traversed by conventional 2-wheel drive automobiles and emergency vehicles?  Yes  No
- (b) Exterior street(s) providing access to this subdivision from a dedicated federal, state, or city roadway.

- (i) Is exterior street(s) public or private? **Public** If private, describe what provisions have been made to assure purchasers of a legal right to use the private access street(s). **N/A**
- (ii) Is exterior street(s) complete?  Yes  No

NOTE: If any improvements to existing exterior streets are to be completed by subdivider or others, the streets are not considered complete.

- (iii) Who is responsible for completion?  
**Previously completed**
- (iv) Estimated completion date?  
**Previously completed**
- (iv) What type of surfacing?  
**Asphalt**
- (vi) Estimated costs lot purchaser will be required to pay toward street completion?  
**Zero--Previously completed**
- (vii) Who is responsible for street maintenance?  
**City of Flagstaff is responsible for exterior street maintenance and the Homeowners Association is responsible for maintenance of the roadways and parking areas within the subdivision**
- (viii) If the City or County is to maintain the street(s), when will it be accepted for maintenance?  
**Previously accepted for maintenance by the City of Flagstaff.**
- (ix) Estimated costs lot purchaser will be required to pay toward street maintenance?  
**Zero--Previously completed**

(c) Interior street(s) within this subdivision:

- (i) Are interior streets within this subdivision public or private?  
**The are no true interior streets, but there are roadways leading to parking spaces**
- (ii) Are the interior streets complete?  Yes  No
- (iii) Who is responsible for completion?  
**Previously completed**

- (iv) Estimated completion date?  
**Previously completed**
- (v) What type of surfacing?  
**Asphalt**
- (vi) Estimated costs lot purchaser will be required to pay toward street completion?  
**Zero--Previously completed**
- (vii) Who is responsible for street maintenance?  
**Homeowners Association is responsible for the roadways and parking areas within the subdivision**
- (viii) If the City or County is to maintain the interior streets, when will they be accepted for maintenance? **N/A**
- (ix) Estimated costs lot purchaser will be required to pay toward street maintenance?  
**Included in Homeowners Association assessments**

NOTE: Support letters from a title insurance company and professional engineer may be required to demonstrate permanent and legal access to the subdivision. See Rule R4-28-A1207 for assistance.

19. FLOOD AND DRAINAGE:

- (a) Will there be flood protection or drainage facilities installed within this subdivision?  Yes  No  
If yes, describe:  
**Typical street drainage and storm drainage to onsite retention basins**
- (b) Who will be responsible for completion of the facilities?  
**Previously completed**
- (c) Estimated completion date?  
**Previously completed**
- (d) Estimated costs lot purchaser will be required to pay toward completion of facilities?  
**Zero--Previously completed**
- (e) Who is responsible for maintenance of the facilities?  
**The Homeowners Association is responsible for maintenance of the private portion of the flood protection and drainage facilities within the subdivision**

(f) If the City or County is responsible for maintenance, when will the facilities be accepted for maintenance? **N/A**

(g) Estimated costs lot purchaser will be required to pay toward maintenance of facilities?

**Included in Homeowners Association assessments**

20. ADDITIONAL SUBDIVISION FACILITIES:

(a) List all other subdivision facilities within this subdivision including, but not limited to, all common, community and/or recreational facilities.  
(Use separate sheet if necessary)

**The subdivision facilities include the following: (1) open space; (2) a clubhouse with a complete kitchen, lounge area, fireplace, conference room and offices; (3) an activity building containing a multi-purpose court, exercise room with exercise equipment, sauna, men's and women's locker rooms with shower and restrooms; (4) a small child play area; and (5) a community swimming pool, hot tub and picnic ramada.**

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

**Previously completed**

(c) Estimated completion date for the above facilities?

**Previously completed**

(d) Estimated costs lot purchaser will be required to pay toward completion of the facilities?

**Zero--Previously completed**

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

**Homeowners Association**

(f) Estimated costs lot purchaser will be required to pay toward maintenance of the facilities?

**Included in Homeowners Association assessments**

**NOTE: IF THE FACILITIES LISTED IN QUESTIONS 8 THRU 20 ABOVE ARE TO BE COMPLETED FOR SPECIFIC LOTS IN PHASES, DESCRIBE YOUR PHASED SCHEDULE OF COMPLETION GIVING THE LOTS IN EACH PHASE AND THE ESTIMATED COMPLETION DATES ON A SEPARATE SHEET. INSPECTIONS WILL BE MADE TO VERIFY COMPLETION IN ACCORDANCE WITH YOUR SCHEDULE OF COMPLETION.**

21. MASTER PLANNED COMMUNITY

(a) Is this subdivision part of one or more master planned community(ies)?  
 Yes     No

If yes, give name(s), describe and answer the following questions: **N/A**

- (b) List all common or recreational master planned facilities located outside of this subdivision but included in the above master planned community(ies), which are available for use by lot purchasers within this subdivision:

(Use separate sheet if necessary)

**N/A**

- (c) Who is responsible for the completion of the above facilities? **N/A**
- (d) Estimated completion date for the above facilities? (Month-Day-Year)  
**N/A**
- (e) Who is responsible for continuing maintenance and expenses of the above facilities? **N/A**
- (f) Estimated costs lot purchaser will be required to pay for the use of or for the maintenance of the above facilities? **N/A**

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

- (a) What arrangements have been made to assure the completion and delivery of the facilities listed in Questions 8 thru 21 above:

(Use separate sheet if necessary)

**All Facilities are completed**

- (b) What arrangements have been made to assure the continued maintenance of the facilities listed in Questions 8 thru 21 above: (Use separate sheet if necessary)

**As recorded in the Condominium Declaration for Timberline Place East Condominium, Filed Articles of Incorporation and Bylaws for the Homeowners Association, the Homeowners Association will assess fees for regular maintenance and creation of a replacement reserve fund for the facilities**

**NOTE: 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. SEE RULE R4-28-A1211 FOR A LIST OF ACCEPTABLE FINANCIAL ASSURANCE OPTIONS. (SEE REQUIRED DOCUMENT NO. 18).**

23. **SCHOOLS:**

- (a) 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 subdivision?

**Knoles Elementary (K-6), 4005 East Butler Avenue, approximately 1 mile southeast; Mount Elden Middle School (7-8) 3223 North 4<sup>th</sup>**

**Street, approximately 2 miles north; Sinagua High School (9-12)  
3950 East Butler Avenue, approximately 1 mile southeast**

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

**School bus**

(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 subdivision. **N/A**

24. SHOPPING FACILITIES:

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

**Flagstaff Farmers Market, 1901 North 4<sup>th</sup> Street, approximately 1 miles northwest; Albertson's Grocery Store, 1416 East Route 66, approximately 2 miles west and the Flagstaff Mall, 4650 N. US Hwy 89 approximately 2 miles north.**

25. PUBLIC TRANSPORTATION:

State type, provider, location and distance to provider servicing the subdivision.

**Bus Service - Mountain Line Transit (928) 779-6624**

26. MEDICAL FACILITIES:

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

**Flagstaff Medical Center, 1200 North Beaver Street, approximately 3 ½ miles west.**

27. FIRE PROTECTION:

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

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

**City of Flagstaff Fire Department, no additional cost, cost included in property taxes.**

28. AMBULANCE SERVICE:

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

(b) If yes, provide name, address and telephone number of ambulance service(s) available.

**Available by dialing 911. Provider is Guardian Medical Transport, 1200 North Beaver Street and can be reached for non-emergency calls at (928) 779-2546**

29. POLICE SERVICE:

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

(b) If yes, state name of provider:

**City of Flagstaff Police Department**

30. Is the subdivision in a 911-service area?  Yes  No

31. REFUSE COLLECTION:

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

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

**City of Flagstaff (928) 779-7637 website: [www.flagstaff.az.gov](http://www.flagstaff.az.gov). Homeowners Association pays for water. Purchaser's cost is included in their Homeowners Association assessments.**

(c) If no, what must lot purchaser do to dispose of refuse?(Include location of nearest authorized transfer station, landfill, dump, etc., and all costs involved.). **N/A**

32. SUBDIVISION USE AND RESTRICTIONS:

(a) Do you plan to sell or lease

  X   Improved lots (Includes Condominiums)  
      Unimproved lots

(b) What is the use for which subdivision lots will be offered?

**Multi Family Residential**

(c) Is the subdivision or any lot(s) therein subject to adult occupancy or age restrictions?  Yes  No

(i) If yes, please explain: **N/A**

(ii) If yes, are you in compliance with the Federal Fair Housing Amendments Act of 1988 and any amendments or additions thereof?  Yes  No **N/A**

(d) State whether all or any portion of the subdivision is located in any open range or area in which livestock may roam at large under the laws of this State and what provisions, if any, have been made for the fencing of the subdivision to preclude livestock from roaming within the subdivision.

**The subdivision is not located in an open range area**

(e) Are any of the mineral rights reserved from the subdivision lots, or will they be?  Yes  No

- (i) If yes, what will be the effect on lot owners if the mineral right holder exercises his rights to extract the minerals? **N/A.**
- (f) 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:  
**See the recorded Condominium Declaration for Timberline Place East Condominium; the Homeowners Association's Articles of Incorporation and Bylaws and existing zoning ordinances.**
- (g) If a condominium, is the property a conversion from multifamily rental to condominiums?  Yes  No
  - (i) If yes, what is the date original construction was completed?  
**Between May 2000 and February 2001.**

33. 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?  
**Purchase Contract and Special Warranty Deed**
  - (i) When does purchaser take title?  
**Upon close of escrow and recordation of deed**
- (b) Where will purchaser's deposit and earnest monies be deposited and held?  
**In a neutral escrow account with Fidelity National Title located at 2409 North 4<sup>th</sup> Street, Flagstaff, Arizona 86004**
  - (i) Can such monies be used prior to close of escrow?  
 Yes  No
  - (ii) When and under what conditions will such monies be released?  
**Except as otherwise set forth in the Purchase Contract, the Deposits will be fully earned by the seller and non-refundable to a purchaser upon the later to occur of the following: (i) the expiration of a fourteen (14) day inspection period, (ii) upon receipt by the purchaser of conditional loan approval for loan funds to purchase; (iii) upon receipt by the purchaser of the Subdivision Public Report for the subdivision, and purchaser's written affirmation of the Purchase Contract, if applicable or (iv) upon seller's execution of the Purchase Contract if (i), (ii) and (iii) do not apply.**
- (c) When will lot purchaser be permitted to use and occupy his lot?  
**Upon close of escrow and recordation of deed.**
- (d) Will purchaser receive title free and clear of all liens?  Yes  No

- (i) If no, please explain: **N/A**
- (e) What is the estimated average sales price for:
  - (i) Unimproved lots: **N/A**
  - (ii) Improved lots:  
**\$175,000-\$295,000**
- (f) Will any of the property be leased?  Yes  No
  - (i) If yes, describe any provision for increase of rental payments during the term of the lease. **N/A**
  - (ii) If yes, are there any provisions in the lease prohibiting assignment and/or subletting? **N/A**
  - (iii) Does the lease prohibit the lessee from mortgaging or otherwise encumbering the leasehold?  Yes  No **N/A**
  - (iv) Will the lessee be permitted to remove improvements when the lease expires?  Yes  No **N/A**

**NOTE: SALES DOCUMENTS MUST CONTAIN ALL CONTRACT DISCLOSURES REQUIRED BY RULE AND STATUTE. YOUR ANSWERS ABOVE MUST BE IN CONFORMANCE WITH THE DOCUMENTS SUBMITTED UNDER REQUIRED DOCUMENT NO. 8, SECTION II.**

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

**R.H Nathan and Co., LLC  
8707 E. Vista Bonita #240  
Scottsdale, AZ 85255  
(480) 629-8191**

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

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

**Aspen Timberline II, L.L.C., 2415 East Camelback Road, Suite 900, Phoenix, Arizona 85016 (602) 553-4100**

- (i) Are you now taking or do you intend to accept lot reservations?  
 Yes  No
- (j) Have you obtained a conditional sales exemption?  Yes  No

34. TITLE AND ENCUMBRANCES:

- (a) Title to the property is vested with:  
**Aspen Timberline II, L.L.C., an Arizona limited liability company**
- (b) If title is not vested with the applicant, please explain applicant's interest in the property: **N/A**
- (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 lots or units from any blanket lien or encumbrance: (Use separate sheet if necessary)  
**Partial releases of the Units from the lien of the Master Deed of Trust are permitted and such a release will occur concurrently with the close of escrow of the sale of individual Units as provided for in said Master Deed of Trust**
- (d) Are there any unrecorded liens or encumbrances against the property?  
 Yes  No

35. PROPERTY TAXES AND ASSESSMENTS:

- (a) Real Property Taxes:
- (i) The combined primary and secondary property tax rate for the subdivision for the year **2005** is **7.4157** per \$1000.00 assessed valuation.
- (ii) The estimated property tax for an improved lot with dwelling, based on the above tax rate and average sales price of **\$230,000**, is **\$1,706**.
- (iii) The estimated property tax for an unimproved lot without dwelling, based on the above tax rate and average sales price of **\$N/A**, is **\$N/A**.
- (iv) Are current real property taxes paid?  Yes  No

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

- (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 subdivision, or for the purpose of offering any other service?  Yes  No
  - (ii) If yes, is it included in the above tax rate cited in 30(a)(i): **N/A**
  - (iii) If no to (ii) above, provide explanation including, but not limited to, name and type of district, amount of assessments and how payable, lot purchaser responsibilities, release provisions, default provisions, etc. If the district is proposed, provide as much information as possible. **N/A** (Use separate sheet if necessary)
- (c) Other than as stated above or property owners association(s) assessments, are there any other special assessments, taxes, or fees to be paid by purchaser?  Yes  No

If yes, explain. **N/A**

36. PROPERTY OWNER'S ASSOCIATIONS:

- (a) Name of Association, if any:  
**Timberline Place Owners Association, an Arizona nonprofit corporation**
- (b) Property Owners will be required to pay assessments in the amount of **approximately \$175.00 per month for a One bedroom Unit, \$185 per month for a Two bedroom-One bath Unit, \$190 per month for a Two bedroom-Two bath Unit and \$199 per month for a Three bedroom Unit**
- (c) Name of Master Property Owners Association(s) if any: **N/A**
- (d) Property Owners will be required to pay master association assessments in the amount of **\$N/A per N/A**
- (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 turned over to lot purchasers?

**Control of the Homeowners Association will be turned over to Unit purchasers on the happening of any of the following events (the "Conversion Date"), whichever occurs earlier: (i) ninety (90) days after the conveyance of seventy-five percent (75%) of the Units to purchasers other than the applicant; (b) four (4) years after the**

**applicant ceases to offer Units for sale in the ordinary course of business; or (iii) when the applicant notifies the Homeowners Association in writing that it relinquishes control of the Homeowners Association.**

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

**Each Unit owner will own an undivided interest in the common areas; accordingly, the common areas will not be transferred to the Homeowners 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:

**Each Unit owner will own an undivided interest in the common areas and the lien with respect to the common areas as they related to the interest of the purchaser will be released in connection with the close of escrow of such Unit; accordingly, the Unit owner will be protected in the event of default because such purchaser's ownership interest in its undivided interest in the common areas will not be subject to the existing lien**

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

If no, please explain: **N/A**

- (j) Will non-members be liable for payments to the association(s)?

Yes  No

If yes, explain:

**The Homeowners Association may permit residents of Timberline Village Apartments (Phase 1) located at 4255 East Soliere Avenue, Flagstaff, Arizona (immediately to the west of the subdivision) to purchase a license to use the common area amenities of the subdivision. The determination to offer such a license and the terms of such a potential license has not yet been established by the Homeowners Association.**

- (k) Will non-members be contractually authorized to use any association(s) amenities?

Yes  No

If yes, explain:

**The Homeowners Association may permit residents of Timberline Village Apartments (Phase 1) located at 4255 East Soliere Avenue, Flagstaff, Arizona (immediately to the west of the subdivision) to purchase a license to use the common area amenities of the subdivision. The determination to offer such a license and the terms of such a potential license has not yet been established by the Homeowners Association.**

NOTE: 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. FILINGS WITH STATE/FEDERAL/PROVINCIAL AUTHORITIES:

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

38. 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: **Robert P. Solliday**

Company: **The Solliday Law Firm, P.C.**

Title: **President**

Address: (Please include Zip Code) **2415 East Camelback Road, Suite 900,  
Phoenix, Arizona 85016**

Telephone Numbers: Fax Number: **Tel. 602-553-4143 Fax 602-468-8910**

To receive a confirmation by email that we received your application, please provide your email address: [rps@sollidaylaw.com](mailto:rps@sollidaylaw.com)

AFFIDAVIT OF APPLICANT

STATE OF ARIZONA

COUNTY OF MARICOPA

RE: Timberline Place East Condominium  
Subdivision Name

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

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

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

I further certify that, if this application has not been submitted on the standard form prepared by the Arizona Department of Real Estate, applicant agrees that the Department may take any action deemed necessary to ensure compliance with the subdivision laws if, after issuing a 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.

October     , 2006  
Date

ASPEN TIMBERLINE II, L.L.C.  
Printed Name

Eli A. Castronova  
Name

Authorized Representative  
Title or Office

This instrument subscribed to and sworn before me this \_\_\_\_\_ day of October 2006 by Eli A. Castronova, in witness whereof I set my hand and official seal.

\_\_\_\_\_  
Signature

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

My Commission Expires:

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