



Arizona Department of Real Estate (ADRE)  
Investigations and Development Services Division

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DOUGLAS A DUCEY  
GOVERNOR

JUDY LOWE  
COMMISSIONER

## **SUBDIVISION DISCLOSURE REPORT**

### **FOR**

**RIO BONITO RANCH**

**aka RIO BONITO RANCH**

Registration No. DM14-057391

### **SUBDIVIDER**

**JSC RANCH CREEK PROPERTIES LLC, an Arizona Limited Liability Company**  
**Edward P. Herman and Diana M. Herman, Trustees of the HED Trust, dated April 1, 1990**  
**Edward P. Herman and Diana M. Herman, husband and wife Diana M. Herman, M.D., as**  
**Trustee of the Diana M. Herman, M.D. Profit Sharing Plan and Trust, dated January 1,**  
**1994 and amended January 1, 2002**

Effective Date: December 23, 2014

1<sup>ST</sup> Amendment Date: December 30, 2015

## **PROPERTY REPORT DISCLAIMER**

This report is NOT A RECOMMENDATION OR AN ENDORSEMENT by the State of Arizona of this land but is provided for informational purposes ONLY. The report reflects information provided by the subdivider and obtained by the Department in its review process in accordance with the provisions of Title 32, Chapter 20, Article 4, of the Arizona Revised Statutes, as amended. **NOTE** that not all of the information in this report has been verified by the Department; certain information has been accepted by the Department as true and accurate based on attestation of the subdivider and/or the subdivider's agents. You should verify all facts before signing any documents. The Department has not passed upon the quality or quantity of any improvement or structure and does not assume responsibility in either event.

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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 CONTRACTS OR AGREEMENTS FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)\* MAY BE RESCINDED BY YOU WITHOUT CAUSE BY SENDING OR DELIVERING WRITTEN NOTICE OF RESCISSION BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE SIGNING.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 1,2,3,6,7, 8,9,10,11,12,13,14,17,18,19,20,21,22,23,24,25,26,27,29,30,31, 32, and 33**

**The map of this subdivision is recorded in Book 59 Of Maps & Plats, Page 61 thru 66, Records of Yavapai County, State of Arizona.**

**The subdivision is approximately 83.29 acres in size. It has been divided into 33 LOTS and 7 Tracts. Lot boundaries will be staked with registered surveyor caps.**

### **DEDICATION:**

**Know All Men By These Presents: That S-R-B, Properties, L.L.C, hereby publishes this plat as and for the plat of Rio Bonito Ranch, a subdivision of a portion of the SE ¼ of Section 34, Township 16, North, Range 4 East of the G & S R M, Yavapai County, Arizona, as shown platted hereon and hereby declares that said plat sets forth the location and gives the dimensions and measurements for the lots and streets constituting same and that each lot and street shall be know by the number or name given each respectively on said plat and hereby dedicates to Yavapai County the streets as shown on said plat. Easements are dedicated for the purposes shown. Tracts A, E, & G are to be retained by the Developer. Tracts C&D are hereby dedicated to the local school district. Tract B H&I is hereby dedicated to the Property Owners Association.**

### **DRAINAGE NOTES:**

**NO CHAIN LINK, WOVEN WIRE OR BLOCK WALL FENCES ARE TO BE PLACED WITHIN THE 100-YEAR FLOOD AREAS (OR THOSE AREAS NECESSARY TO CONVEY STORM RUNOFF FROM THE SUBDIVISION)**

**NATURAL GROUND CONDITIONS MAY CONVEY FLOWS THROUGH INDIVIDUAL LOTS. CAUTION SHOULD BE EXERCISED IN SELECTING A BUILDING SITE. PROPERTY OWNERS MAY WISH TO CONTACT THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT FOR ADDITIONAL INFORMATION.**

### **CLASS/DRAINAGE EASEMENTS NOTES:**

**EASEMENTS ARE HEREBY GRANTED TO THE PROPERTY OWNERS ASSOCIATION OF THIS SUBDIVISION FOR DRAINAGE PRUPOSES AS SHOWN ON THIS PLAT IN THE AREAS MARKED DRAINAGE EASEMENT CLASS I. THE PROPERTY OWNERS ASSOCIATION IS REPONSIBLE FOR MAINTAINING THE DRAINAGE ASEMENTS CONDITONS AS IT WAS WHEN THE SUBDIVISION WAS APPROVED DRAINAGE EASEMENTS CONFORM TO THE NATURAL OR MAN-MADE WATERCOURSES AND SHALL NOT BE MOVED FROM THE LOCATION EXISTING AT THE TIME OF THE APPROVAL OF THE SUDIVISION (UNLESS APPROVED BY THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT)**

**THESE WATERCOURSES MAY REQUIRE PERIODIC MAINTENANCE TO CONVEY ON-SITE OR OFF-SITE DISCHARGES PERIODIC MAINTENANCE MAY CONSIST OF THE REMOVAL OF EARTH AND/OR VEGETATIVE MATERIAL THAT HAS BUILT UP SINCE THE ORIGINAL APPROVAL OF THE FINAL PLAT OF THIS SUBDIVISION.**

**TRACT INFORMATION:**

**TRACT F IS OWNED BY TRES HERMANAS RANCH, LLC, (BOOK 4459, PAGE 397, Y.C.R.O)  
TRACT B IS TO BE DEDICATED TO THE PROPERTY OWNERS ASSOCIATION.  
TRACT C&D ARE TO BE DEDICATED TO THE ADJOINING SCHOOL DISTRICT.  
TRACT A, E & G ARE TO BE RETAINED BY THE OWNER/DEVELOPER.  
TRACT H IS TO BE DEDICATED TO THE PROPERTY OWNERS ASSOCIATION AS OPEN SPACE, EQUESTRIAN AND PEDESTRIAN ACCESS.  
TRACT I IS TO BE DEDICATED TO THE PROPERTY OWNERS ASSOCIATION FOR THE PURPOSES OF ROADWAY & DRAINAGE AS PRIVATE ROADWAYS. ROADWAY PAVEMENT WIDTH IS 24 FEET. TRACT I IS 50' WIDE TRACT.**

**ALL PRIVATE ROADS WILL ONLY BE TAKEN OVER BY THE COUNTY FOR MAINTENANCE IF THE ROADS ARE BROUGHT UP TO THE THEN CURRENT COUNTY DESIGN STANDARDS (INCLUDING BUT NOT LIMITED TO SURFACING AND RIGHT-OF-WAY WIDTH) FOR PUBLIC ROADWAYS AT OWNERS EXPENSE.**

**OUTSIDE DESIGNATED AMA:**

**THIS SUBDIVISION IS NOT WITHIN A DESIGNATED ACTIVE WATER MANAGEMENT AREA. A STATEMENT CONCERNING WATER ADEQUACY HAS BEEN RECEIVED FROM THE ARIZONA DEPARTMENT OF WATER RESOURCES (PURSUANT TO A.R.S. 45-108) STATING THE WATER RESOURCES ARE ADEQUATE FOR THIS SUBDIVISION.**

**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:** Southwest of Intersection of El Rancho Bonito and Purple Sage Roads, Cornville, Yavapai, Arizona. Nearest major crossroads are Page Springs Road and Cornville Road.

**UTILITIES**

**Electricity:** ARIZONA PUBLIC SERVICE (888)539-6364 [www.aps.com](http://www.aps.com). **Improved-**Subdivider advises that facilities are completed to the dwelling. Cost to purchasers is included in sales price. A \$25.00, plus tax activation fee will appear on your first bill. A refundable deposit may be required depending on past credit. **Unimproved-** Facilities are completed to the lot line. Cost to purchaser to complete facilities from lot line to dwelling is approximately \$200 for conduit, purchaser will also be required to pay a one-time establishment of \$25.00. Trenching fees could range from \$545.00 for 1 to 300 feet and \$1,035.00 for 301-600 feet.. Cost could differ depending upon terrain. **Fees and/or deposits are subject to change, please contact the provider of service for additional details.**

**Telephone:** CENTURYLINK (855) 433-2085 [www.centurylink.com](http://www.centurylink.com) . **Improved-** Subdivider advises that facilities are completed to the dwelling. Cost to purchaser is included in sales prices.

A connection fee of \$27.50 is required. A refundable deposit of \$200 maybe required depending upon past credit. Basic services starts at \$19.99 to \$99.00 per month. **Unimproved-**Subdivider advises that facilities are completed to the lot line. The cost is calculated by the builder that the purchaser chooses for the construction and cost varies from builder to builder. Cost could range from \$10 to \$25 per linear foot charged by builder for the extension of the facilities. A connection fee of \$27.50 is required. A refundable deposit of \$200 maybe required depending upon past credit. Basic services starts at \$19.99 to \$99.00 per month.

**Fees and/or deposits are subject to change, please contact the provider of service for additional details**

**Cable:** CABLEONE (928) 445-4511 [www.cableone.net](http://www.cableone.net) **Improved-** Subdivider advises that facilities have been completed to the dwelling. Cost to purchaser is included in sales price. Cost to receive service is a one time activation fee of \$27.50 required by provider as well as a deposit unless the purchaser can provide a good credit history. Provider offers money saving bundles which range from \$19.99 to \$99.99 a month.

Purchaser is advised to contact the provider to see what bundle best suits their needs. **Unimproved-** Purchaser will be responsible for all cost to run facilities from lot line to dwelling. The cost is calculated by the builder that the purchaser chooses for the construction and cost varies from builder to builder. Cost could range from \$10 to \$25 per linear foot charged by builder for the extension of the facilities. To receive service from the provider there is a one time activation fee of \$27.50 required by provider as well as a deposit unless the purchaser can provide a good credit history. Provider offers money saving bundles which range from \$19.99 to \$99.99 a month. Purchaser is advised to contact the provider to see what bundle best suits their needs. **Fees and/or deposits are subject to change, please contact the provider of service for additional details**

**Internet or Fiber Optic:** CABLEONE (928) 445-4511 [www.cableone.net](http://www.cableone.net). **Improved- Cost to purchaser is included in sales price.** Internet is \$97.00 per for the first 6 month, if cable is combined, after 6 months, the fee is **\$117.00**, deposit may be required depending upon past credit. **Unimproved-** Purchaser will be responsible for all cost to run facilities from lot line to dwelling. The cost is calculated by the builder that the purchaser chooses for the construction and cost varies from builder to builder. Cost could range from **\$10 to \$25** per linear foot charged by builder for the extension of the facilities. Internet is **\$97.00** per for the first 6 month, if cable is combined, after 6 months, the fee is **\$117.00**, deposit may be required depending upon past credit. **Fees and/or Deposits are subject to change, purchaser is advised to contact provider of service for additional information.**

**Natural Gas:** Subdivider advises no natural gas is available to this subdivision. Bottled Propane gas may be used. **John Graves Propane, in Email dated 4/24/2014 NOTES:** For 500 gallon underground tank cost is **\$1885**, plus tax. If new Yard Line is needed installation and materials would be free. Excavation ranges from **\$800.00-\$1000.00**, (site prep, excavation, reburying, site clean-up). Total cost to purchaser would be approximately **\$3000.00**. First fill price is **\$1.99** per gallon. Tanks can also be leased for a year at a price of **\$184.00**. If new Yard Line is needed installation and materials would be free. Excavation ranges from **\$800.00-\$1000.00** (site prep, excavation, reburying, site clean-up). Permits approximate \$140.00. **Fees and/or deposits are subject to change, please contact the provider of service for additional details**

**Water:** Subdivider advises that purchasers will be responsible for drilling individual wells on their lots. Each well shall be into the aquifer in lieu of transitional groundwater. Lot owners will be responsible for purchasing and obtaining all permits and fees required from Yavapai County. Cost for purchasers of Lot 1-5 and 28-33 will be approximately **\$10,000.00 to \$15,000.00**, which included a pump and pressure tank, and all county licensing/permit fees. Cost to lot purchasers of Lots 6-27 will be approximately **\$8,000.00 to \$12,000.00** for completion of water Fees **and/or deposits are subject to change, please contact the provider of service for additional details.**

**Arizona Department Water Resources Letter dated July 14, 2006, states in part:**

**“Pursuant to A.R.S. 45-108 and A.A.C R12-15-715 et seq, the Department has determined that the water supply for the Rio Bonito subdivision is adequate, i.e. that the water supply is physically continuously and legally available to satisfy the applicant’s 100-year projected water demand and that the water supply is of suitable water quality. However, the legal availability of the water withdrawn from wells in this area may be the subject of court action in the future as part of a determination of surface water rights. Whether future court actions will have an effect on the legal availability of the water supply for the proposed subdivision cannot be determined at this time.”**

**OUTSIDE DESIGNATED AMA:**

**THIS SUBDIVISION IS NOT WITHIN A DESIGNATED ACTIVE WATER MANAGEMENT AREA. A STATEMENT CONCERNING WATER ADEQUACY HAS BEEN RECEIVED FROM THE ARIZONA DEPARTMENT OF WATER RESOURCES (PURSUANT TO A.R.S. 45-108) STATING THE WATER RESOURCES ARE ADEQUATE FOR THIS SUBDIVISION.**

**NOTE: Fire Hydrants will not be installed, all homes will be required to have sprinkler systems and the pond will have a stand pipe for fire department use. Cost is the responsibility of individual lot owners. Estimated costs to lot owners is \$3000 to \$5000.**

**Sewage Disposal:** Individual Septic Systems. Sewage treatment and disposal will be provided by and individual on-site wastewater treatment system. Subdivider advises that the sewer designs and approval has been approved by the County of Yavapai. Cost to purchasers of Lots 1-5 and 28-33 requires “elgin”-systems. Estimated cost to purchasers for permit and construction is **\$12,000.00**. Cost to purchasers for Lots 6-27, using standard systems with sandy loan conditions, for permit and construction is approximately \$7,000.00. **Fees and/or deposits are subject to change, please contact the provider of service for additional details <http://www.yavapai.us/devserv/environmental-services-division/septic-system-construction/>, PHONE NUMBER IS (928) 639-8100)**

The Sanitary Facilities of water supply, sewage disposal and garbage disposal as represented by the approved plan documents on file with the Yavapai County Development Services-Environmental Unit are hereby approved subject to the following provisions.

1. One set of final recorded plats must be submitted to Yavapai County Development Services–Environmental Unit after the final plat is recorded.

**REFUND POLICY:** PURCHASERS WILL NOT BE OFFERED A REFUND BY THE SUBDIVIDER IF AN OPERATIONAL SEWER TREATMENT SYSTEM CANNOT BE INSTALLED. ALL LOTS AS PLATTED WILL ALLOW FOR A SEWER SYSTEM. SYSTEM DESIGN AND REVIEW HAS BEEN COMPLETED AND APPROVED BY THE COUNTY OF YAVAPAI.

**Garbage Services:** NAWS (North American Waste Service) (928) 567-0250. Cost to purchasers for 95 gallon container is \$16.00 per month. Fees and/or deposits are subject to change, please contact the provider of service for additional details.

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:** Subdivider advises that asphalt paved public streets are complete. Cost to purchasers is included in purchase price. Yavapai County is responsible for maintenance. Cost to purchaser is included in property taxes.

**Access within the Subdivision:** Subdivider advises that private (pavement) paved streets are completed. Cost to purchasers is included in purchase price. Streets are dedicated to the Homeowners Association for maintenance. Cost to purchasers is included in Homeowners Association Assessments.

**Street Lights:** Subdividers advised no street lights are available to this subdivision.

**Flood and Drainage:** Subdivider advises that pond and drainage channels are complete. Cost to purchasers is included in sales price. Drainage facilities will be maintained by the Homeowners Association. Cost to purchasers is included in Homeowners Association Assessments.

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

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

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

For additional information, visit the State Land Department web page at [www.land.state.az.us](http://www.land.state.az.us), or call (602) 542-4631.



## **LOCAL SERVICES AND FACILITIES**

**Schools:** Oak Creek School (K-8) located at 11490 E. Purple Sage Drive is adjacent to the intersection northeast of subdivision. Oak Creek Ranch School, located at 1165 E. Willow Point Drive, Mingus Union High School (8-12) is located at 1801 E. First, Cottonwood is approximately 9 miles away.

**School Bus Transportation is available to all schools.**

**PURCHASERS ARE ADVISED THAT SCHOOL BOUNDARIES AND SCHOOL BUS TRANSPORTATION MAY CHANGE. YOU SHOULD CONTACT THE COTTONWOOD-OAK CREEK ELEMENTARY DISTRICT AT (NAME OF THE ELEMENTARY SCHOOL DISTRICT) AT (928) 634-2288 OR VISIT THEIR WEBSITE AT [www.greatschools.org](http://www.greatschools.org) REGARDING THE CURRENT LOCATION OF SCHOOLS AND BUS SERVICE.**

**Shopping Facilities:** Crazy Tony's is a convenience store with a gas station and Family Dollar store in Cornville is within 1.7 miles. There is also a feed store, hardware store, restaurants and gas and convenience store within three miles in Cornville. Fry's Food Store is located at 1100 S. State Route 260, Cottonwood, approximately 5.8 miles west, Giant Food located at 999 S. Main St, Cottonwood, approximately 6.5 miles west.

**Restaurants/Bars: Distances:** Manzanita Inn 1.5 miles, Harry's Hide Away 1.6 miles, Grass Hopper Grill 1.4 miles, Old Corral Bar 1.5 miles

**Public Transportation:** Subdivider advises that no public transportation is available to this subdivision currently but a plan is being worked on by active Cornville Community members.

**Medical Facilities:** Verde Valley Medical Center, is located at 269 S. Candy Lane, Cottonwood, approximately 7 miles west, Red Rocks Pediatrics located at 800 Cove Parkway Cottonwood, approximately 5.8 miles west, Advanced Health & Wellness located at 6295 E. Starry Night, Cornville approximately 3.1 miles west.

**Fire Protection:** Verde Valley Fire District, Station 32 is located at 1120 S. Page Springs Rd, Cornville, approximately 1.3 miles west then south. This recently built, fully equipped station is located just north of Grasshopper Grill close to intersection of Page Springs and Cornville Rd intersection. Cost to purchaser is included in property taxes.

**Ambulance Service:** Service is available by calling 911.

**Police Services:** Yavapai County Sheriff's Department. Cost to purchaser is included in property taxes.

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

## **COMMON, COMMUNITY AND RECREATIONAL FACILITIES**

**Within the Subdivision:** Subdivider states that all common area amenities are complete. Tract H and G are dedicated to the HOA for Open Space and pedestrian easements for private access by owners/guests to Oak Creek. An easement has been granted to developer for an access easement across Tract H for the benefit of Tracts E&G, developer is responsible for maintenance of said easement. Developer installed a 3-rail white vinyl fence along the north line of Lots 7-11. Lot Owners of Lot 7-11 are responsible for maintenance of said fence. **Current fencing is white vinyl, three rail, or ranch fencing approved by Design & Review Committee. White vinyl fencing cost as of June 2014 @ Home Depot was \$29.97 for 84 inch, 5 x 5 inch in line posts and \$19.95 for 8 foot 5 ½ by 1 ½ inch rails plus tax and shipping unless picked up locally. Labor costs will vary for fence repair depending on whether fence posts need to be dug up and reset in cement. Lot owners are responsible to repair any fencing on existing lots. HOA will repair all fencing in common areas.**

**Within the Master Planned Community:** Subdivider advises that subdivision is not part of a Master Planned Community.

## **ASSURANCES FOR COMPLETION OF IMPROVMENTS**

**Assurances for Completion of Subdivision Facilities:** Subdivider advises that all improvements are completed.

**Assurances for Maintenance of Subdivision Facilities:** Utility providers are responsible for the respective facilities, HOA responsible for interior road, Tracts H, Open Space and Pedestrian Easements. Individual Lot Owners are responsible for private wells and septic system and drainage ditches that cross their lots. Drainage ditch maintenance is mostly labor to keep ditches free of debris and weeds. Labor Rates of \$15.00 per hour cost annual cost is approximately \$100.00.

**Name and Assessments:** Rio Bonito Ranch Homeowners Association, Inc. Lots 1 thru 5 and 28 through 33 with irrigation will pay annual assessment of \$600.00. Lots 6 through 27, with irrigation will pay annual assessment of \$1200.00

**Control of Association:** Homeowner control of the association will occur when three quarters of the lots are sold. Or

**Class A** Class A Members shall be all Owners with the exception of the Declarant so long as Declarant is a Class B Member, and shall be entitled to one (1) vote each for Owners. When more than one (1) Person holds an interest in any Lot, all such Persons shall be members. The vote for any such Lot shall be exercised as they among themselves determine, but in no event shall more than one (1) vote be cast with respect to any Lot.

**Class B** The Class B member shall be the Declarant and the Declarant shall be entitled to three (3) votes for each Lot owned. The Class B Membership shall cease and be converted to Class A Membership when the total votes outstanding in the Class A Membership equals the number of votes outstanding in the Class B Membership.

**Title to Common Areas:** Already dedicated as shown on recorded plat.

**Membership:** All lot owners will be members

**ARCHITECTURAL CONTROL COMMITTEE:**

THE ASSOCIATION SHALL ESTABLISH AN ARCHITECTURAL CONTROL COMMITTEE ("COMMITTEE") RESPONSIBLE FOR THE REVIEW OF DESIGN AND APPROVAL OR DISAPPROVAL OF ALL CONSTRUCTION OR MODIFICATION PROPOSED ON ANY LOT WITHIN RIO BONITO RANCH. FOR SO LONG AS THE DECLARANT OWNS ANY LOTS, THE DECLARANT SHALL HAVE THE SOLE RIGHT TO APPOINT ALL MEMBERS OF THE ARCHITECTURAL COMMITTEE. THEREAFTER, THE COMMITTEE MAKEUP SHALL BE DETERMINED BY THE BOARD. THE COMMITTEE SHALL NOT BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS DECLARATION, BUT SHALL BE ENTITLED TO REIMBURSEMENT FOR REASONABLE COSTS EXPENDED, AS APPROVED BY THE ASSOCIATION.

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

**SUBDIVISION CHARACTERISTICS**

**Topography:** There are three levels of the property: top level is flat, solid limestone rock, 80 feet lower is 2nd tier or level of property which consists of rolling sandy loam terrain, 60 feet lower is the 3<sup>rd</sup> tier or lower level which is flat, sandy loam terrain. The property has the Mason Lane Irrigation Ditch across the upper portion of the mid level area, Oak Creek crosses the lower part of the lower portion of the property/ the lowest portion is in a flood zone, no homes sites are located in the lowest portion.

**Flooding and Drainage:**

Mr. Rob Begley, P.E., R.L.S. of Mogollon Engineering & Surveying, Inc, in his letter dated May 14, 2007 states that: The Rio Bonito Ranch subdivision consists of 33 single family residential lots and occupies approximately 83.3 acres in Yavapai County, (Arizona). The project lies north of the Town of Cornville (immediately south and west of the roadway intersection of Swinging Bridge Lane/Purple Sage Rd and El Rancho Bonito Rd). Specifically the subdivision lies in the northeast ¼ of Section 34, Township 16N, Range 4E, G& SRM(Assessor Parcel No. 407-32-025M, 025H, 025P, 025R, 025T and 025U)

All of Lots 1-11, lots 14-33, and Tracts A,B,C,D & I of the subdivision are located in the F.E.M.A., designated flood Zone "C" (outside of flood prone areas). Tract E owned by HED Trust and Tract G of the subdivision are located entirely within the F.E.M.A. designated flood Zone "A". Portions of lots 12 and 13 as well as a portion of Tract H are located within the F.E.M.A. designated flood zone "AE". As noted on the Final Plat, Tract H is dedicated to the Property Owners Association and utilized for open space, and pedestrian access. Also, identified on the Final Plat, development of lots 12 and 13 have been limited to the area outside of the F.E.M.A. designated AE Zone and minimum finished floor elevations established (see sheets 2 and 6 of the recorded final plat – Book 59, Pages 62 & 66). This information is as indicated on the F.E.M.A. Flood Insurance Rate Map (FIRM Map Number 04025Cc1810 F).

By law, structures that are located within a Special Flood Hazard Area (Zone A) and are financed by a federally regulated loan must have flood insurance coverage. There is no federal flood insurance purchase requirement for structures that are to be located outside of a Special Flood Hazard Area (within Zones B & C).

A drainage report has been prepared for this project and is available upon request. The 2, 10 and 100-year frequencies were analyzed on-site and the planned improvements were sized to accommodate the estimated flows. This report is in accordance with the current Yavapai County Drainage Criteria Manual and has been reviewed and approved by the appropriate governing agencies.

Prospective home builders are advised to secure drainage information specific to his/her lot prior to design and construction of any residence to assure property drainage away from foundations, finished floors, driveways, etc.

#### **DRAINAGE NOTES:**

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**NATURAL GROUND CONDITIONS MAY CONVEY FLOWS THROUGH INDIVIDUAL LOTS. CAUTION SHOULD BE EXERCISED IN SELECTING A BUILDING SITE. PROPERTY OWNERS MAY WISH TO CONTACT THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT FOR ADDITIONAL INFORMATION.**

#### **CLASS/DRAINAGE EASEMENTS NOTES:**

**EASEMENTS ARE HEREBY GRANTED TO THE PROPERTY OWNERS ASSOCIATION OF THIS SUBDIVISION FOR DRAINAGE PURPOSES AS SHOWN ON THIS PLAT IN THE AREAS MARKED DRAINAGE EASEMENT CLASS I. THE PROPERTY OWNERS ASSOCIATION IS REPOSNSIBLE FOR MAINTAINING THE DRAINAGE EASEMENTS CONDITIONS AS IT WAS WHEN THE SUBDIVISION WAS APPROVED DRAINAGE EASEMENTS CONFORM TO THE NATURAL OR MAN-MADE WATERCOURSES AND SHALL NOT BE MOVED FROM THE LOCATION EXISTING AT THE TIME OF THE APPROVAL OF THE SUDIVISION (UNLESS APPROVED BY THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT)**

**THESE WATERCOURSES MAY REQUIRE PERIODIC MAINTENANCE TO CONVEY ON-SITE OR OFF-SITE DISCHARGES PERIODIC MAINTENANCE MAY CONSIST OF THE REMOVAL OF EARTH AND/OR VEGETATIVE MATERIAL THAT HAS BUILT UP SINCE THE ORIGINAL APPROVAL OF THE FINAL PLAT OF THIS SUBDIVISION**

**BASE FLOOD ELEVATION NOTE:**

**LOTS 12 AND 13 HAVE A MINIMUM FINISH FLOOR ELEVATIONS DUE TO THE F.E.M.A DESIGNATED FLOODPLAIN LOCATED WITHIN THESE LOTS. THESE FINISHED FLOOR ELEVATIONS SHALL BE A MINIMUM OF 1' (ONE FOOT) ABOVE THE F.E.M.A DESIGNATED BASE FLOOD ELEVATION. THE BASE FLOOD ELEVATION IS 3338 PER F.I.R.M PANEL MAP 04025C1810 F, DATED JUNE 6, 2001. THE MINIMUM FINISH FLOOD ELEVATION FOR F.E.M.A IS 3339. CARE SHOULD BE EXERCISED WHEN SETTING THE FINISH FLOOR AS THERE MAY BE ROADWAY DRAINAGE ISSUES THAT WOULD DICTATE A DIFFERENT (HIGHER) FINISH FLOOR ELEVATION. THIS MINIMUM FINISH FLOOR IS RELATED TO F.E.M.A FLOOD PLAIN ONLY. PROSPECTIVE HOMEBUILDERS ARE ADVISED TO SECURE DRAINAGE INFORMATION SPECIFIC TO HIS/HER LOT PRIOR TO DESIGN AND CONSTRUCTION OF ANY RESIDENCE TO ASSURE PROPER DRAINAGE AWAY FROM FOUNDATIONS, FINISHED FLOORS, DRIVEWAYS, ETC.**

**Soils:** Subdivider advises that subdivision is subject to subsidence and expansive soils. .

In letter dated April 30, 2007, Ms. Amanda G. Perkins, GIT and Greg A. Creaser, P.E., of Speedie & Associates, Inc, states as follows:

“Speedie & Associates have issued a Report on Geotechnical Investigations, Project No. 2006 for the subject site. This report presents the result of a subsurface soils investigation for the purpose of determine the engineering properties of the soils and to provide recommendations for the design of the foundations, site grading and paving. This letter presents a summary of that Report. Refer to the full report for more details. Note that the sitemap provided for the original report has been revised, including lot numbers and roadway infrastructure, and is included in this letter.

Construction is presumed to consist of an approximately 83 acres, 33 lot subdivision, with associated infrastructure including paved roadways. It is assumed that structures will consist of single-family, one to two story, slab-on-grade wood framed and/or masonry structure. Lots 1 through 5 and Lots 28 through 33 are located along Majestic Vista Lane and Bonito Ranch Loop on an upper plateau. Lots 6 through 27, located along Bonito Ranch Loop are below the degraded limestone cliff face and are nestled on a river terrace of a Paleo-River channel from Oak Creek. The lots are to be a gated private residential subdivision. Oak Creek is situated southwest of the upper and lower developments. There is also an irrigation ditch that bisects the upper and lower developments, and flows into Oak Creek. This irrigation ditch will be used to provide irrigation water to Lots 6 through 27 and to provide water to the pond that will be used for fire protection. The subject site is not located in an area that is known for excessive ground subsidence or earth fissures due to groundwater withdrawal.

The site is bounded on the north by Swinging Bridge Lane, on the south by floodplain and inhabited residential structures, on the east by inhabited residential structures, and on the northwest by inhabited ranch. At the time of the investigation the site was covered with Creosote bushes and Prickly Pear cacti in the upper portion of the development where Lots 1 through 5 and Lots 28 through 33 are located (Zone B). The lower portion of the development where Lots 6 through 27 are located (designated as Zone A for the report) was formerly ranch grazing land and is covered in low-lying grasses and weeds. At the time of the investigation, there was evidence of previous development, including a gravel road cut into the degraded limestone cliff face leading from the upper lots to the lower lots and also irrigation pipes. Site drainage is generally towards the south-southwest.

The field investigation indicates the subsoil conditions at the site are consistent, but are variable between the upper and lower lots depending on the topography. The low-lying lots have distinctly different engineering properties than that of the elevated lots. The rough boundaries of these zones are identified on the Test Pit Location plot presented in the original Geotechnical Investigation.

Within Zone A, the subsoil conditions are somewhat consistent, typically consisting of 2.5 to 4.5 feet of the clayey sand. The underlain soils typically consist of sandy silt and sandy clay with subordinate amounts of gravel, river cobble, and occasional small boulders. Pocket Penetration Test values range from 1 to >4.5 tons per square foot (tsf) in the upper soils. Values of > 4.5 tsf were typically encountered in the upper 6 feet identified as sandy clays and clayey sands. Based on the visual and tactile observation, the upper soils were in a “dry” to “moist” state at the time of investigation, typically below the plastic limit of the soil.

Laboratory testing in Zone A indicates liquid limits on the order of 23 to 30 percent with plasticity indices from 8 to 17 percent. In-place densities of the upper soils is on the order of 97 psf with moisture contents at 6 percent. Volume increase due to wetting (swell potential) of the upper soils is on the order of 5.4 percent when re-compacted to moistures and densities normally expected during construction and confined to 100 psf. An undisturbed sample displayed a significant volume decrease of 8.1 percent due to inundation when subjected to 2000 psf.

Within Zone B, the subsoil conditions are somewhat consistent, typically consisting of 1.0 to 3.5 feet sandy silty, clay sandy silt, and silty gravel with subordinate amounts of limestone gravel and cobble. Underlying these upper soils is a shelf slightly weathered freshwater limestone of the Verde Formation. Penetration Test values of >4.5 tsf were encountered in the upper soils. Based on visual and tactile observation, the upper soils were in a “dry” state at the time of the investigation, typically below the plastic limit of the soil. No groundwater was encountered at the time of our investigation. However, it is not uncommon to have seasonally perched water that may be encountered at the soil/bedrock interface.

Laboratory testing in Zone B indicates liquid limits on the order of 20 percent with plasticity indices from non-plastic to 6 percent. Swell potential due to wetting of the upper soils is on the order of 1.8 percent with re-compacted to moistures and densities normally expected during construction and confined to 100 psf. No undisturbed samples were taken by ring-sampling methods due to the presence of gravel, cobble, and shallow limestone bedrock.

Based on the findings in our investigation, the subject site is suitable for the support of the proposed residential structures imposing relatively light foundation loads provided loads provided certain remedial actions are taken to improve the soils and the bearing soils are not subject to water inundation.

In general, the soils encountered during the investigation consisted of high plasticity “fat” clay, sandy clay, clayey sand, and limestone bedrock with subordinate amounts of gravel and cobble. Based on the soils encountered, construction of residential types structures on standard shallow foundation systems is typically subject to remedial earthwork or specialized foundation systems are recommended for areas with expansive soils.

This site has highly expansive soils within Zone A. The swell (expansion) potential of the high plasticity clays on site are typically strong enough to cause differential movements and damage to structures in addition to concrete slab-on-grades is critical to reducing potential movement. With residential construction, this is extremely difficult due to drainage and landscaping changes incorporated by the various homeowners. Potential homeowners must be made aware of the risks associated with the expansive soils on site and restriction on grading and landscaping adjacent to foundation elements and concrete slabs. Typical recommendations when property executed, will help reduce, but not necessarily eliminate the swell potential.

Typical recommendations include removal of the expansive soils and placement of several feet of non-expansive material foundations and concrete slabs, or utilize suspended wood floor construction. Attention must be paid to provide and maintain proper drainage to limit the potential for water infiltrating under slabs and foundations. A minimum slope of at least 5 percent for a distance of 10 feet is recommended in unpaved landscaped areas. The lots should be uniformly graded away from the structures and drainage should not be allowed to discharge towards adjacent or proposed structures. Irrigation systems and planters requiring heavy watering should not be placed against the foundations. Roof drains should be installed and directed to discharge to either storm drains or the pavement, not unpaved planters adjacent to the structures. Based on the swell potentials of the clayey soils, these recommendations alone on typical shallow spread footing and slab-on-grade construction may not be sufficient without significant structural damage occurring.

Remedial earthwork or specialized foundation systems can further reduce the potential for structural damage. Remedial earthwork beneath foundations typically consists of carrying the foundations to a depth in which moisture fluctuations are reduced, placing foundations directly on competent bedrock, or the construction of a barrier wall to prevent moisture infiltration. Specialized foundation systems included mat formations or the use of a post-tension foundation/slab-on-grade system. Both of these foundation systems are designed to move with the expanding soils. Post tensioned slabs should be designed in accordance with the procedures given in the Design and Construction of Post-Tensioned Slabs-On-Ground by the Post Tensioning Institute. This type of foundation system is more flexible and may require special design and construction of the superstructure and interior wall to allow more flexibility.

**Adjacent Lands and Vicinity:** State the zoning codes and definitions for the adjacent lands. Then describe any existing or proposed land uses adjacent to and within a 2 mile radius (see worksheet), including American Indian reservation lands within 5 miles.

**North- R1-35 Single Family Residential**

**South- RLI-70 Single Family Residential**

**East- R1-35 Single Family Residential**

**West- R1-35 Single Family Residential**

## **SURROUNDING AREAS OF INTEREST**

### **North**

Oak Creek Elementary School  
Javelina Leap Vineyard & Winery located 3 miles  
Oak Creek Vineyards & Winery located 3 miles  
Page Springs Cellars located 3 miles  
Rusty's Morningstar Ranch located 1 mile  
Oak Creek Ranch School located 3 miles  
Spring Creek Ranch located 4 miles  
Lo-Lo Mai Springs located 4 miles

### **South**

Jackpot Ranch located 7 miles  
Camp Verde Pool located 9 miles  
Out of Africa Wildlife Park located 7 miles  
Interstate 17 located 8 miles

### **East**

Red Rock Ranger District located 8 miles

### **Northeast**

Bubbling Ponds Hatchery located 2 miles  
Cross Creek Ranch located 7 miles  
Oak Creek Country Club located 8 miles  
Ridge on Sedona Golf Resort located 8 miles  
Canyon Mist Country Club located 10 miles  
Red Rock State Park located 8 miles  
Coconino National Forest South Gateway Visitor Center located 8 miles

### **Northwest**

Verde Canyon Railroad located 10 miles

### **Southwest**

Alcantara Vineyards located 4 miles  
RT Arrow Horse Boarding Ranch located 3 miles  
Verde Valley RV and Camping Resort located 4 miles  
Thousand Trail Campgrounds RV located 4 miles



**West**

Windmill Gardens located 1 mile  
Arizona Stronghold Vineyards located 7 miles  
Dead Horse Ranch State Park located 7 miles  
Blazin M Ranch located 7 miles  
Riverfront Park Sports Co-Ord located 7 miles  
Verde Santa Fe Golf Course located 3 miles  
Sedona Golf Resort located 9 miles  
Pine Shadows Golf Course and Club House located 8 miles  
Riverfront Disc Golf Course located 7 miles  
Turquoise Triangle RV Park located 5 miles  
Cotton Riverfront Dog Park located 7 miles

**Southeast**

Verde Earthworks LLC (recycling center, landfill)  
Montezuma Castle National Monument located 12 miles

**NOTE:** Owners of the adjacent land described above may seek to rezone their property, may seek zoning variances for their property or may modify their site plan within existing zoning. Consequently, no assurance can be given that the zoning or uses for the adjacent lands will not change from that described above. Purchasers should contact the Yavapai County Planning and Development, at (928) 771-3214 or visit their websites at [www.yavapai.us](http://www.yavapai.us)

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

**AGRICULTURAL USES:** Agricultural activities are ongoing in the surrounding area. Agricultural activities may include with limitation, management and harvesting of agricultural produce, air and ground application of pesticides and other chemicals, raising of livestock (including dairy operations), road and canal construction and maintenance and other customary agricultural activities. These agricultural activities may produce noise, odor, dust, pollen, insect, smote, chemical spray vapor and other conditions that may be disturbing to some individuals.

**AGRICULTURAL OPERATIONS:** The Community is located near an agricultural area. Subdivider advises that the types of agricultural operations are subject to change. Many procedures normal and necessary to the operation of agricultural uses such as field crops, vineyards, orchards, dairy and poultry farms and feed lots result in noise, noxious odors (particularly, fertilizer odor), chemical spraying, dust, irrigation or other potentially detrimental effects to residential use of adjacent properties. Purchaser should carefully investigate in person the potential impact of such noise, odor, dust, spraying, irrigation or other effects resulting from the nearby agricultural uses, as these conditions may be disturbing to certain individuals.

**ARIZONA NATIVE DESERT LANDS:** Cockroaches, rattlesnakes, black widow spiders, scorpions and other pests and animals are common in part 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, they should seek the advice of a pest control company.

**FURTHERMORE, DUE TO THE PROMIMITY OF RAILROAD TRACKS, GOLF COURSES, AND CREEKS/CANALS, ETC., LOT OWNERS MAY POSSIBLY EXPERIENCE TRAFFIC, NOISE, DUST, ODORS, AND OTHER NUISANCES ASSOCIATED WITH THESE AREAS. THESE AREAS MAY ALSO POSE AS SAFETY HAZARDS TO UNSUPERVISED CHILDREN AND ADULTS. PURCHASERS ARE ENCOURAGED TO DRIVE WITHIN THE VICINITY OF THE SUBDIVISION TO DETERMINE WHETHER THERE MAY EXIST ADDITIONAL ITEMS OF CONCERN.**

Subdivider reserve the right to make changes in the proposed land uses, improvement plans, street patterns and types, architectural styles and designs, size of residences, and other improvements to be built within the community. There are not assurances that the community will be developed as proposed and Subdivider's plans for the community may be altered at Subdivider's discretion. The total number of residential units may increase or decrease from the current plan, depending upon market conditions or other conditions, including acquisition of additional property.

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

Subdivider states there are no natural gas pipelines within 500 feet of the subdivision boundaries.

**High Voltage Lines:** Subdivider states there are no 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.

**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 OR WHAT THE STRUCTURES WILL LOOK LIKE AND CONSTRUCTION SCHEDULES.**

### **SUBDIVISION USE AND RESTRICTIONS**

**Use:** This offering is for Improved Lot with Dwelling and Unimproved Vacant Lot  
**Zoning:** Single Family Residential.

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

**Conditions, Reservations and Restrictions:** Recorded CC&Rs, Recorded Plat, County Zoning Ordinances.

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

**ARCHITECTURAL CONTROL COMMITTEE NOTE:**

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

**AIRPORTS**

**Military Airport:** Subdivider states that subdivision is not in the territory in the vicinity of a military airport.

**Public Airport:** Cottonwood Airport located at 1001 W. Mingus Avenue, Cottonwood, approximately 11 miles.

**TITLE**

**Title to this subdivision: Edward P. Herman and Diana M. Herman, Trustees of the HED Trust, dated April 1, 1990 (AS TO LOTS 11,12, 13 and 14, AND TRACT E; Diana J. Herman, M.D., as Trustee of the Diana M. Herman, M.D. Profit Sharing Plan and Trust, dated January 1, 1994 and amended January 1, 2002 (AS TO LOT 2) and JSC Ranch Creek Properties, LLC, an Arizona Limited Liability Company (AS TO THE REMAINDER)**

**Subdivider’s interest in this subdivision is evidenced by fee title.**

**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 **August 5, 2015, issued by Yavapai Title Agency**. You should obtain a title report and determine the effect of the listed exceptions.

**EXCEPTIONS: SEE EXHIBIT "A" ATTACHED**

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

**Sales:** Sales will be made by Purchase Contract and Title conveyed by Warranty Deed. Deposit and Earnest Monies will be held in a neutral escrow account and cannot be used by Subdivider prior to close of escrow

**Release of Liens and Encumbrances:** There are no liens or encumbrances on the lots offered in this public report.

**Use and Occupancy:** Purchaser will receive Title at close of Escrow and recordation of Deed to said property.

**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 2014 is **13.6359 per \$100.00** assessed valuation. The estimated property tax for an improved lot (lot with dwelling), based on the above tax rate and average sales price of **\$450,000.00 to \$650,000.00, is \$6,136.15 to \$8,863.33.** The estimated property tax for an unimproved lot (vacant), based on the above tax rate and average sales price of **\$225,000 is \$ 887.50.**

**Special District Tax or Assessments:** None.

**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.**

**EXHIBIT "A"**

1. OBLIGATIONS imposed upon said land by its inclusion within any district formed pursuant to Title 48, Arizona Revised Statutes, excluding however Municipal or County Improvement Districts.

2. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 179 of Deeds Page : 57

Purpose : electric lines

3. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 274 of Official Records Page : 268

Purpose : Oak Creek School Road

4. Right of way for Willow Point Road as set forth in instrument recorded in:

Book : 496 of Official Records Page : 525

And as shown on Yavapai County Assessor's Map.

5. Right of way for Swinging Bridge Lane as set forth in instrument recorded in:

Book : 735 of Official Records Page : 63

And as shown on Yavapai County Assessor's Map.

6. Right of way for Oak Creek School Road, Johnson Lane and Purple Sage Road as shown on Yavapai County Assessor's Map.

7. 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 Book: 3567, of Official Records Page 980

Amended in Book: 3931, of Official Records Page 742

Amended in Book: 4475, of Official Records Page 828

8. Agreement according to the terms and conditions contained therein:

Purpose : Easements and terms & conditions relating thereto

Dated : February 18, 1999

Recorded : March 29, 1999

Book : 3650 of Official Records

Page : 494

9. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 3650 of Official Records Page : 495

Purpose : utility and irrigation

10. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 1031 of Official Records Page : 663

Purpose : electric lines

11. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 3591 of Official Records Page : 7

Purpose : county highway

12. 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 Book: 3650, of Official Records

Page 496

13. Matters Shown on Survey:

Recorded in Book 151 of Land Surveys Page 82

14. Agreement according to the terms and conditions contained therein:

Purpose : Private Development

Dated : December 12, 2006

Disclosed by : Memorandum of Agreement

Recorded : January 25, 2007

Book : 4475 of Official Records Page : 380

15. Easements as shown on the recorded plat of said subdivision.

16. 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 Book 4492 of Official Records

Page 463 Amended in Book 4537 of Official Records

Page 359 Amended in Book 4707 of Official Records

Page 613 Amended in Book 4738 of Official Records

Page 997 and as shown on the recorded plat of said subdivision.

17. Agreement according to the terms and conditions contained therein:

Purpose : Private Development

Dated : December 12, 2006

Recorded : September 24, 2007

Book : 4542 of Official Records

Page : 173

18. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 4563 of Official Records

Page : 445 Purpose : electrical lines and appurtenant facilities

(Lot 2)

19. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 4563 of Official Records Page : 448

Purpose : underground electric lines and appurtenant facilities

(Lot 7)

20. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 4563 of Official Records Page : 449

Purpose : underground electric lines and appurtenant facilities

(Lot 9)

21. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 4563 of Official Records

Page : 451 Purpose : electrical lines and appurtenant facilities

(Lot 12)

22. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 4563 of Official Records Page : 450

Purpose : underground electric lines and appurtenant facilities

(Lot 10)

23. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 452  
Purpose : electrical lines and appurtenant facilities  
(Lot 13)

24. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 454  
Purpose : underground electric lines and appurtenant facilities  
(Lot 15)

25. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 457  
Purpose : underground electric lines and appurtenant facilities  
(Lot 18)

26. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 458  
Purpose : underground electric lines and appurtenant facilities  
(Lot 21)

27. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 459  
Purpose : underground electric lines and appurtenant facilities  
(Lot 22)

28. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records  
Page : 460 Purpose : underground electric lines and appurtenant facilities  
(Lot 23)

29. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 461  
Purpose : underground electric lines and appurtenant facilities  
(Lot 26)

30. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records  
Page : 462  
Purpose : underground electric lines and appurtenant facilities  
(Lot 27)

31. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 464  
  
Purpose : underground electric lines and appurtenant facilities  
(Lot 29)

32. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 465  
Purpose : underground electric lines and appurtenant facilities  
(Lot 30)

33. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 466  
Purpose : underground electric lines and appurtenant facilities  
(Lot 31)

34. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 467  
Purpose : underground electric lines and appurtenant facilities  
(Lot 32)

35. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4563 of Official Records Page : 468  
Purpose : underground electric lines and appurtenant facilities  
(Lot 33)

36. Easements and rights incident thereto, as set forth in instrument:  
Recorded in Book : 4623 of Official Records Page : 312  
Purpose : driveway, ingress and egress  
(Lot 13)

37. Deed of Trust given to secure the original amount shown below, and any other amount payable under the terms thereof:  
Amount: \$4,504,739.00  
Dated: July 7, 2006  
Recorded: July 27, 2006  
Book: 4420 of Official Records  
Page: 196  
Trustor S-R-B Properties, L.L.C., an Arizona Limited Liability Company  
Trustee National Bank of Arizona, a National Banking Association  
Beneficiary National Bank of Arizona, a National Banking Association  
Substitution of Trustee under said Deed of Trust:  
Recorded : August 17, 2009  
Book : 4688 of Official Records  
Page : 855  
New Trustee : Kevin R. Merritt, Attorney at Law  
(Affects all lots EXCEPT Lots 2, 11, 12, 13, 14, and Tract E)

38. Deed of Trust given to secure the original amount shown below, and any other amount payable under the terms thereof:  
Amount: \$550,000.00  
Dated: April 28, 2005  
Recorded: April 28, 2005  
Book: 4258 of Official Records  
Page: 244  
Re-recorded in Book 4343 of Official Records  
Page 347  
Trustor S-R-B Properties, L.L.C., an Arizona Limited Liability Company  
Trustee First American Title Insurance Company, a California Corporation  
Beneficiary C & D Riggs Family Limited Liability Company, an Arizona Limited Liability Company, as to an undivided 50% interest and James R. Johnson and Gail E. Johnson, husband and wife, as Community Property, with right of survivorship, as to an undivided 50% interest  
Said Deed of Trust was subordinated to the lien of Deed of Trust recorded in:  
Book : 4420 of Official Records Page : 196  
by Subordination Agreement recorded in  
Book : 4420 of Official Records Page : 195  
(Affects all lots EXCEPT Lots 2, 11, 12, 13, 14, and Tract E)



39. The effect of that ASSIGNMENT OF BENEFICIAL INTEREST under said Deed of Trust as Collateral Security to secure a note in the amount stated below was executed by:

Assignor Swinging Bridge Properties, LLC, an Arizona Limited Liability Company and Midview Properties, LLC, an Arizona Limited Liability Company and On D Creek Properties, LLC, an Arizona Limited Liability Company and Creekview Properties, LLC, an Arizona Limited Liability Company and Slopeside Properties, LLC, an Arizona Limited Liability Company

Assignee George W. Reeve Enterprises

Amount \$89,665.55

Dated April 28, 2005

Recorded May 22, 2006

Book 4398 of Official Records Page 806

40. Easements and rights incident thereto, as set forth in instrument:

Recorded in Book : 4563 of Official Record

Page : 453 Purpose : electric

(Lot 14)

**NOTE: Nothing further is found of record concerning this subdivision through the date of this report.**