

ARIZONA  
SUBDIVISION PUBLIC REPORT  
FOR  
HIGHLAND PARK MANOR  
REFERENCE NO. 94-00343

SUBDIVIDER  
  
SUPERSTITION SALES, INC.,  
an Arizona corporation  
1901 EAST UNIVERSITY  
SUITE 200  
PHOENIX, AZ 85203

June 24, 1994  

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Effective Date

STATE PROPERTY REPORT DISCLAIMER

This report is NOT A RECOMMENDATION NOR AN ENDORSEMENT by the State of Arizona of this land but is provided for informational purposes ONLY.

This 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. The purchaser 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.

Arizona Department of Real Estate  
Subdivisions Section  
910 N. 44th Street  
Phoenix, Arizona 85018  
(602) 468-1414

THE COMMISSIONER  
OF THE ARIZONA DEPARTMENT OF REAL ESTATE

REQUIRES THAT:

1. The purchaser or lessee 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 PURCHASERS OR LESSEES SHALL RENDER THE SALE OR LEASE RESCINDABLE BY THE PURCHASER OR LESSEE. 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 CONTRACTS OR AGREEMENTS FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)\* MAY BE RESCINDED BY THE PURCHASER WITHOUT CAUSE BY SENDING OR DELIVERING WRITTEN NOTICE OF RESCISSION BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE SIGNING.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.

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GENERAL

This report includes: Lots 1 through 67.

The map of this subdivision: is recorded in Book 369 of Maps, Page 7, records of Maricopa County, State of Arizona.

The subdivision is approximately 14.037 acres in size. It has been divided into 67 lots and Tracts A, B C, D, and E. Lot boundaries will be staked and property pins placed prior to construction.

YOU ARE ADVISED TO OBTAIN A COPY OF THE RECORDED MAP AND CORRECTION DOCUMENT AND NOTE ALL EASEMENTS, RESTRICTIONS AND STATEMENTS CONTAINED HEREON.

Prospective purchasers are advised that the recorded plat contains the following dedication language: "Tract "A" will be dedicated to the City of Mesa for retention basin and recreation-area. Tract "C" and "D" will be landscaped areas and maintained by the Homeowners Association. Tract "B" is dedicated as an easement for ingress/egress for refuse, emergency vehicles, public utilities, facilities and drainage purposes and is to be maintained by the Homeowners Association. Tract "E" will be a playground area maintained by the Homeowners Association."

Purchasers are advised that the Declaration of Covenants and Restrictions for this subdivision provides for an Architectural Control Committee.

SUBDIVISION LOCATION

Location: One block north of East University Drive on east side of North Val Vista Drive, City of Mesa, Maricopa County, Arizona.

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### SUBDIVISION CHARACTERISTICS

Topography: Level

Flooding and Drainage: Gregory L. Allen, P.E., L.S. letter dated February 5, 1993, states:

This letter is to certify that the Highland Park Manor Subdivision is not in the 100-year Flood Plain of any wash or river. If the houses are constructed to the grades shown on the approved plans, they will be free of flooding from the 100 year flood event.

Soils: Subdivider advises that soils are moderately expansive. Proper compaction will be completed.

Hazards or Nuisances: Small parcel of land to the east is used for a citrus grove.

### UTILITIES

Electricity: Salt River Project  
Completion date to lot line: May 2, 1994. Purchasers costs as advised by the subdivider:

Service Fee \$18.00 plus tax  
Minimum Deposit, if applicable is \$10.00

Note deposits vary according to circumstances, please contact Salt River Project for quote.

### THE FOLLOWING IS A LIST OF ADDRESSES FOR SALT RIVER PROJECT

East Valley  
7050 East University Drive  
Mesa, Arizona  
(602) 968-8000

Southeast Valley  
2081 North Arizona Avenue  
Chandler, Arizona  
(602) 236-8888

South Phoenix  
26 East Baseline Road  
Phoenix, Arizona  
(602) 236-8888

Northwest  
8101 North 35th Avenue  
Phoenix, Arizona  
(602) 236-8888

Tempe  
1505 North Project Drive  
Tempe, Arizona  
(602) 236-8888

West Valley  
221 North 79th Avenue  
Tollison, Arizona  
(602) 236-8888

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UTILITIES CONT.

Mailing Address for all areas of town:

Salt River Project  
P.O. Box 52025  
Phoenix, Arizona 85072

NOTE: If you have questions or need more information call 263-8888.  
If you live in Apache Junction, Fountain Hills or Higley, you may call  
968-8000.

PURCHASER IS ADVISED TO CONTACT SALT RIVER PROJECT FOR A QUOTE OF  
EXACT FEE AND TO BE SURE THERE HAS BEEN NO CHANGE IN THE ABOVE FEES  
SINCE THE ABOVE DATE.

Telephone: U S West Communications  
Completion date to lot line: May 2, 1994. Purchasers costs as advised  
by the subdivider:

US West Communications

Phone Number (602) 490-2355

Address for bill  
P.O. ox 29060  
Phoenix, Arizona 85038

Address for general correspondence  
P.O. Box 2320  
Phoenix, Arizona 85002

Per US West Communications on January 14, 1994

Installation Fee \$46.50  
Deposit, if applicable \$120.00  
Minimum zone fee, if applicable \$33.25

Per US West Communication - they need your exact address and  
circumstances before they can give you an accurate quote as to the  
cost involved, therefore, THE PURCHASER IS ADVISED TO CONTACT US WEST  
COMMUNICATIONS TO GET AN EXACT QUOTE REGARDING FEES AND COSTS. ALSO,  
CHECK TO BE SURE THERE HAS BEEN NO CHANGE IN THE ABOVE FEES SINCE THE  
ABOVE DATE.

Gas: City of Mesa

Completion date to lot line: May 2, 1994. Purchasers costs as advised  
by the subdivider. Base fee for natural gas service is \$5.72.

UTILITIES CONT.

Water: City of Mesa

Completion date to lot line: May 2, 1994. Purchasers costs as advised by the subdivider \$7.81 per month based on a 3/4 inch meter. 0 to 12,000 gallons, \$.95 per 100 gallons, over 12,000 gallons, \$1.43 per 1000 gallons, \$15.98 service charge to the City of Mesa.

Sewage Disposal: Subdivider advises that interior sewer within the subdivision will be public. They will be installed to individual lots by May 2, 1994 and the cost will be included in the sales price of lots. Purchasers will have to pay service charge of \$15.98 to the City of Mesa and \$12.64 per month for sewer service. This can fluctuate based on winter water usage.

THE ABOVE COSTS ARE SUBJECT TO CHANGE BY SERVICE PROVIDERS. YOU SHOULD CONTACT THE ABOVE PROVIDERS REGARDING EXTENSION RULES AND REGULATIONS, SERVICE CONNECTIONS AND COSTS INVOLVED.

STREETS, ROADS AND DRAINAGE

Access to the Subdivision: Asphalt paved public streets maintained by the City of Mesa, Arizona.

Access within the Subdivision: Asphalt paved private streets maintained by the Homeowner's Association.

Flood and Drainage: Subdivider advises that Tract A is a retention basin and will be completed by July 15, 1994. The City of Mesa will be responsible for maintenance of the completed retention basin.

COMMON, COMMUNITY AND RECREATIONAL FACILITIES

Within the Subdivision: Tract A is a retention basin; Tract B is an easement for ingress/egress for refuse, emergency vehicles, public utilities and facilities and drainage purposes; Tracts C and D are landscaped areas; Tract E is a playground with barbecue and picnic facilities. These facilities will be completed by May 2, 1994. Tract A will be maintained by the City of Mesa; Tracts B, C, D and E will be maintained by the Homeowners Association. Costs of maintenance of Tract A will be included on property taxes and Homeowners Association dues for Tracts B, C, D and E.

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#### ASSURANCES FOR COMPLETION

Assurances for Completion of Subdivision Facilities: Assurance of Construction Agreement between subdivider, City of Mesa and Chicago Title and Trust for subdivision improvements.

Assurances for Maintenance of Subdivision Facilities: Tract A will be maintained by the City of Mesa, Tracts B, C, D and E will be maintained by the Homeowners Association.

#### LOCAL SERVICES AND FACILITIES

Schools: Highland Elementary School is located 1/2 mile from the subdivision; Poston Junior High is 3/4 mile from the subdivision; Mountain View High School is approximately 1 mile.

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

Shopping Facilities: With one-quarter mile south of the subdivision.

Public Transportation: City bus service one-quarter mile from the subdivision.

Medical Facilities: Various medical facilities within a one-mile area of the subdivision and a hospital within 5 miles.

Fire Protection: City of Mesa Fire Department. Costs for fire protection service is included in taxes.

Ambulance Service: Available by dialing 911.

Police Protection: City of Mesa Police Department

Garbage Service: City of Mesa  
Cost for garbage disposal services is \$15.75 per month.

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

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SUBDIVISION USE AND RESTRICTIONS

Use: Improved lots - Single family residential.

Conditions, Reservations and Restrictions: Zoning requirements, recorded Declaration of Covenants, Conditions and Restrictions, restrictions on Recorded Plat, Articles of Incorporation, Bylaws and Rules of the Homeowners Association.

Restrictions and Other Matters of Record: Conditions, reservations and restrictions that may run with the land including City or County zoning restrictions should be investigated by you. Copies of those items which are recorded may be inspected at the Office of the Maricopa County Recorder. Information about zoning may be obtained at the Office of the City of Mesa Planning and Zoning Department. Restrictions are recorded in Recording No. 94-178553 and per the recorded plat of said subdivision.

METHOD OF SALE OR LEASE

Sales:

Cash sales and Deed:

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

Use and Occupancy: Lot purchaser will be permitted to use and occupy his lot upon close of escrow.

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.

TITLE

Title to this subdivision is vested in Inca Investments, Inc., an Arizona Corporation.



TITLE CONT.

Subdivider's interest in this subdivision is evidenced by Option to Purchase from Inca Investments, Inc., an Arizona corporation to Superstition Homes, Inc., an Arizona corporation dated January 18, 1994, recorded January 24, 1994, in Recording No. 94-058511. Option to Purchase from Superstition Homes, Inc. to Superstition Sales, Inc., an Arizona corporation dated January 18, 1994, recorded January 24, 1994 in Recording No. 94-058512, for a term of one year.

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 June 9, 1994, issued by CHICAGO TITLE INSURANCE COMPANY. As a prospective purchaser, you should obtain a title report and examine the effect of the listed exceptions.

SEE EXHIBIT "A" ATTACHED

Liens and Encumbrances: Deed of Trust to secure an original principal amount of \$741,000.00, made by:

Trustor: Inca Investments Inc, an Arizona corporation  
Trustee: Edward L. Roper, a licensed attorney and a member of  
the State Bar of Arizona

Beneficiary: Hawaii Mountain View Development Corporation, a Hawaii corporation dated October 2, 1992, recorded October 5, 1992 in Recording No. 92-560178.

Subdivider has advised that arrangements have been made with the beneficiary in the aforementioned Deed of Trust for release of individual lots. Subdivider is (also) required to notify the Department of Real Estate of any future placement of liens or encumbrances to ensure compliance with A.R.S. 32-2181, et seq.

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TAXES AND ASSESSMENTS

Real Property Taxes: The combined primary and secondary property tax rate for this subdivision for the 1993 is \$10.26 per \$100.00 assessed valuation.

The estimated property tax for an improved lot (lot with dwelling), based on the above tax rate and our average sales price of \$79,900.00, is \$400 per year and \$124,900.00, is \$600.00 per year.

Special District Tax or Assessment(s): Special District 229 East Valley Institute of Technology included in property taxes - rate for Special District 229 is 0.0705; and Special District 715 Roosevelt Conservation - rate is included in property taxes.

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

PROPERTY OWNERS ASSOCIATION

Names(s) and Assessment(s): Approximately \$20.00 per month to Highland Park Manor Homeowners Association, Inc.

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

Control of Association: Control of the Association will be released to lot purchasers once the subdivision is 75% sold out.

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

Title to Common Areas: Title to the common areas will be transferred to the Association when the subdivision is completely sold out.

Membership: All lot owners will be members of the Association.

JR:br

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EXHIBIT "A"

1. Taxes for the full year 1994; first half due on October 1, and delinquent on November 1, of said year; second half due on March 1, and delinquent on May 1, of the year 1995.
2. Easement and rights incident thereto for electric transmission lines as set forth in instrument recorded in Docket 540, page 375.
3. Easement and rights incident thereto for utilities as set forth in instrument recorded in Docket 7292, page 638, over the North 70 feet of the Southwest quarter of the Southwest quarter of Section 16, Township 1 North, Range 6 East.
4. Easement and rights incident thereto for underground power as set forth in instrument recorded in Recording No. 85-132938, part of the Southwest quarter of the Southwest quarter of Section 16, Township 1 North, Range 6 East of the Gila and Salt River Base and Meridian, Maricopa County, Arizona.

Said easements being 7.0 feet in width, 3.5 feet on each side of the following described centerlines:

Easement No. 1:

Commencing at the Southwest corner of said Section 16;

Thence South 89 degrees 39 minutes 29 seconds East (assumed bearing) along the South line thereof a distance of 733.34 feet;

Thence North 00 degrees 20 minutes 31 seconds East a distance of 58.5 feet to the True Point of Beginning of the easement herein described;

Thence North 89 degrees 39 minutes 29 seconds West a distance of 291 feet.

Easement No. 2: ..

Commencing at the True Point of Beginning of the aforesaid Easement No. 1;

Thence North 00 degrees 20 minutes 31 seconds East a distance of 160.5 feet to the True Point of Beginning of the easement herein described;

Thence North 89 degrees 39 minutes 29 seconds West a distance of 5.00 feet to a point;

Thence continue North 89 degrees 39 minutes 29 seconds West a distance of 70 feet; to the East edge of a 5.5 foot by 7.5 foot wide transformer area; said transformer area being a part of the easement herein described;

Also from said point extend North 00 degrees 20 minutes 31 seconds East a

EXHIBIT "A" CONT

distance of 41 feet.

5. Cable Television Construction Agreement recorded in Recording No. 89-360322.
6. Deed of Trust to secure an original principal amount of \$741,000.00, made by:  
Trustor: Inca Investments Inc., an Arizona corporation  
Trustee: Edward L. Roper, a Licensed attorney and a member of the State Bar of Arizona  
Beneficiary: Hawaii Mountain View Development Corporation, an Hawaii corporation  
dated October 2, 1992, recorded October 5, 1992 in Recording No. 92-560178
7. Financing Statement made by:  
Debtor: Inca Investments Inc., an Arizona corporation  
Secured Party: Hawaii Mountain View Development Corporation  
Dated October 2, 1992, recorded October 5, 1992 in Recording No. 92-560179
8. Easements and rights incident thereto for as shown on the recorded plat of said subdivision.
9. Restrictions as shown on plat of Highland Park Manor recorded in Book 369 of Maps, page 27.
10. Option to Purchase from Inca Investments, Inc., an Arizona corporation to Superstition Homes, Inc., an Arizona corporation dated January 18, 1994, recorded January 24, 1994 in Recording No. 94-058511, for a term of one year (Affects Lots 1 through 67).
11. Option to Purchase from Superstition Homes, Inc., an Arizona corporation to Superstition Sales, Inc., an Arizona corporation dated January 18, 1994, recorded January 24, 1994 in Recording No. 94-058512, for a term of one year (Affects Lots 1 through 67).
12. Easement and rights incident thereto for underground power as set forth in instrument recorded in Recording No. 94-082822 over the West 3.0 feet of Lot 14 and the South 3.0 feet of Lot 66.
13. Conditions, covenants, restrictions, liabilities and obligations (but omitting, if any, such conditions, covenants or restrictions based on race, color, religion, sex or national origin) contained in instrument recorded in Recording No. 94-178553.
14. Liabilities and obligations imposed on said land by reason of provisions contained in instrument(s) recorded in Recording No. 94-178553, purporting to impress a lien on said land for collection of assessments of Highland Park Manor Homeowners Association, an Arizona non-profit corporation.