



Arizona Department of Real Estate (ADRE)  
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## **SUBDIVISION DISCLOSURE REPORT**

(PUBLIC REPORT)

FOR

**STONE CANYON IV,  
RANCH VISTOSO NEIGHBORHOOD II**

aka

**STONE CANYON IV, PHASE 2**

Registration No. DM11-055807

**SUBDIVIDER**  
**TMC-DM, L.L.C.**  
**4940 E. Cholla**  
**Scottsdale, AZ 85284**

Effective Date: SEPTEMBER 22, 2014  
1<sup>ST</sup> AMENDMENT DATE: DECEMBER 12, 2014

### **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. 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 CONTRACTS OR AGREEMENTS FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)\* MAY BE RESCINDED BY YOU WITHOUT CAUSE BY SENDING OR DELIVERING WRITTEN NOTICE OF RESCISSION BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE SIGNING.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 282 THRU 287

**The map of this subdivision** is recorded in Book 61 page 19 records of Pima, County, Arizona.

The General Notes from the plat map recorded in Book 61at page 19 are as follows:

**GENERAL NOTES**

1. THE GROSS AREA OF THIS SUBDIVISION IS 127.41 ACRES.  
THE AREA OF COMMON AREA A (OPEN SPACE) IS 15.23 AC.  
THE AREA OF COMMON AREA B (PRIVATE STREETS AND ACCESS DRIVES) IS 12.86 AC.
2. EXISTING ZONING: RANCHO VISTOSO P.A.D. - VERY LOW DENSITY RESIDENTIAL  
THE PROPOSED DENSITY IS 0.51 RAC.
3. TOTAL NUMBER OF RESIDENTIAL LOTS IS 65.  
MINIMUM LOT SIZE: 43,560 S.F.  
AVERAGE LOT SIZE: 67,309 S.F.
4. BASIS OF BEARINGS: IS THE EAST LINE OF THE SE 1/4 OF SECTION 14, T.11 S., R.13 E,  
SAID BEARING BEING N 00°01'13"E.
5. BASIS OF ELEVATION: A.D.O.T. DATUM BENCH MARK: BRASS CAP SURVEY MONUMENT BEING THE  
CENTERLINE OF INTERSECTION OF RANCHO VISTOSO BLVD. AND VISTOSO HIGHLANDS DRIVE.  
ELEVATION = 2951.38 FEET.
6. DEVELOPER WILL COVENANT TO HOLD TOWN OF ORO VALLEY, ITS SUCCESSORS AND ASSIGNS, HARMLESS IN  
THE EVENT OF FLOODING.
7. DRAINAGE WILL NOT BE ALTERED, DISTURBED OR OBSTRUCTED WITHOUT THE APPROVAL OF THE ORO VALLEY  
TOWN COUNCIL.
8. DRAINAGEWAYS AND/OR DRAINAGE SYSTEMS TO BE CONSTRUCTED ACCORDING TO APPROVED PLANS PRIOR  
TO THE ISSUANCE OF ANY BUILDING PERMITS FROM THE TOWN ENGINEER AND/OR BUILDING OFFICIAL FOR  
LOTS AFFECTED.
9. A HOMEOWNERS ASSOCIATION WILL BE FORMED TO ACCEPT RESPONSIBILITY FOR MAINTENANCE, CONTROL  
SAFETY AND LIABILITY OF COMMON AREA A - OPEN SPACE, COMMON AREA B - PRIVATE STREETS,  
PRIVATE DRIVES AND PRIVATE SEWERS.
10. APPROVED IMPROVEMENT PLANS WILL BE REQUIRED PRIOR TO FINAL PLAT APPROVAL.
11. MAXIMUM PERMITTED BUILDING HEIGHT IS 30', TWO (2) STORIES.
12. BUILDING SETBACK PROVISIONS:
 

FRONT	30 FEET
SIDE	20 FEET
REAR	40 FEET
13. ALL WEATHER ACCESS WILL BE PROVIDED TO ALL LOTS WITHIN THIS SUBDIVISION.
14. ALL STREETS ARE PRIVATE.  
MILES OF PRIVATE STREETS = 2.50 MILES.
15. ANY UTILITIES THAT WILL BE RELOCATED OR EXTENDED AS A RESULT OF THIS DEVELOPMENT WILL BE  
RELOCATED OR EXTENDED AT NO EXPENSE TO THE TOWN OF ORO VALLEY OR PIMA COUNTY.
16. THIS DEVELOPMENT WILL BE SERVED BY ORO VALLEY WATER UTILITY WHICH HAS BEEN DESIGNATED  
AS HAVING AN ASSURED 100-YEAR WATER SUPPLY BY THE DIRECTOR OF WATER RESOURCES.
17. THE OWNER COVENANTS THAT THE AREAS WITHIN THE 100-YEAR FLOODPRONE LINES REPRESENT  
AN AREA WHICH IS SUBJECT TO FLOODING FROM A 100-YEAR FREQUENCY FLOOD AND ALL LAND  
IN THIS FLOODPRONE AREA SHALL BE RESTRICTED TO USES THAT ARE COMPATIBLE WITH FLOOD  
PLAIN MANAGEMENT AS APPROVED BY THE TOWN ENGINEER.
18. STORM WATER DISPOSAL SHALL BE OVERLAND AND SHALL MAINTAIN EXISTING DRAINAGE PATTERNS.
19. UTILITIES WILL BE LOCATED UNDERGROUND IN CONFORMANCE WITH ARIZONA CORPORATION COMMISSION  
AMENDED GENERAL ORDER U-48.
20. A DRAINAGE REPORT HAS BEEN PREPARED AND SUBMITTED TO THE TOWN OF ORO VALLEY UNDER  
SEPARATE COVER.
21. 6' STRIP ELECTRIC AND TELEPHONE EASEMENTS SHALL BE PROVIDED AS REQUIRED BY THE UTILITY COMPANIES.
22. THE SOILS ENGINEER OF RECORD OR OTHER REGISTERED PROFESSIONAL CIVIL ENGINEER WITH EXPERTISE  
IN THE AREA OF SOILS ENGINEERING SHALL CERTIFY, IN WRITING, THAT ALL SOILS OPERATIONS FOR  
THIS DEVELOPMENT WERE PERFORMED IN ACCORDANCE WITH THE RECOMMENDATIONS AS SET FORTH  
IN THE SOILS REPORT BY WESTERN TECHNOLOGIES, JOB NUMBER 2920JM155 DATED JULY 20, 2000 AND  
ANY ACCEPTED ADDENDUMS/AMENDMENTS MADE THERETO. CERTIFICATION, IN WRITING, IS TO BE RECEIVED  
BY THE TOWN ENGINEER OF THE TOWN OF ORO VALLEY PRIOR TO THE REQUEST FOR ANY BUILDING  
PERMITS AND/OR FINAL INSPECTION AND THE RELEASE OF ASSURANCES.
23. THE SOILS ENGINEER OF RECORD OR OTHER REGISTERED PROFESSIONAL CIVIL ENGINEER WITH EXPERTISE  
IN THE AREA OF SOILS ENGINEERING SHALL CERTIFY, IN WRITING, THAT ALL MATERIALS UTILIZED ON  
THIS DEVELOPMENT ARE IN CONFORMANCE WITH THE ACCEPTED PLANS AND SPECIFICATIONS.  
CERTIFICATIONS, IN WRITING, ARE TO BE RECEIVED BY THE TOWN ENGINEER OF THE TOWN OF ORO  
VALLEY PRIOR TO THE REQUEST FOR FINAL INSPECTION AND THE RELEASE OF ASSURANCES.
24. THE PROFESSIONAL ENGINEER OF RECORD SHALL CERTIFY, IN WRITING, THAT ALL IMPROVEMENTS, WHETHER  
PRIVATE OR PUBLIC, HAVE BEEN CONSTRUCTED, PLACED, INSTALLED, ETC. IN SUBSTANTIAL CONFORMANCE  
WITH THE ACCEPTED PLANS FOR THIS DEVELOPMENT. CERTIFICATIONS, IN WRITING, ARE TO BE RECEIVED  
BY THE TOWN ENGINEER OF THE TOWN OF ORO VALLEY PRIOR TO THE REQUEST FOR FINAL INSPECTION  
AND THE RELEASE OF ASSURANCES.
25. ARIZONA GAME AND FISH DEPARTMENT'S GUIDELINES FOR HANDLING DESERT TORTOISE SPECIMENS  
SHALL BE FOLLOWED IF THESE ANIMALS ARE ENCOUNTERED DURING DEVELOPMENT.
26. PARKING PROVISIONS: GARAGE - 2 EA.=130, DRIVEWAY - 2 EA.=130  
LOTS - TOTAL SPACES PROVIDED: 260.
27. ALL HOMES IN THIS DEVELOPMENT (OV12-00-15) SHALL HAVE SPRINKLERS INSTALLED, IN ACCORDANCE  
WITH THE AGREEMENT WITH GOLDER RANCH FIRE DEPARTMENT.
28. GRADING ON ALL LOTS SHALL BE LIMITED TO 20,000 SQ. FT. FOR HOUSE PADS AND ACCESSORY USES,  
EXCLUDING DRIVEWAYS AND UTILITIES; OTHERWISE GRADING SHALL BE LIMITED TO ROADWAYS, DRIVEWAYS,  
AND UTILITY INSTALLATION. AREAS OUTSIDE THE BUILDING ENVELOPE SHALL BE RECORDED AS PERMANENT  
OPEN SPACE. THE BUILDING ENVELOPE SHALL BE STAKED AND INSPECTED BY THE SENIOR ZONING  
INSPECTOR PRIOR TO GRADING.
29. ONLY THAT VEGETATION SHALL BE REMOVED WHICH IS NECESSARY FOR BUILDING PADS AND ACCESSORY  
USES, ROADS, AND DRIVEWAYS. ALL HEALTHY PALO VERDE, MESQUITE, IRONWOOD, SAGUAROS AND  
BARREL CACTI TO BE REMOVED SHALL BE TRANSPLANTED FOR ON-SITE LANDSCAPING.
30. INDIVIDUAL GRADING PERMITS MUST BE OBTAINED PRIOR TO THE DEVELOPMENT OF EACH LOT. THE APPLICATION  
MUST INCLUDE A GRADING PLAN FOR THE LOT, WHICH CLEARLY DEPICTS THE BUILDING ENVELOPE AS IDENTIFIED  
ON THE PRELIMINARY PLAT, LIMITS OF THE GRADING PERCENT OF LOT TO BE GRADED, AND ANY SIGNIFICANT  
FEATURES ON THE LOT INCLUDING ROCK OUTCROPPINGS, ARCHAEOLOGICAL FEATURES OR SIGNIFICANT VEGETATION,  
INCLUDING SPECIMEN TREES OR CACTI, AND MUST BE APPROVED BY THE TOWN ENGINEER AND THE PLANNING AND  
ZONING ADMINISTRATOR.
31. NO FURTHER SUBDIVISION OF ANY LOT OR PARCEL WILL BE DONE WITHOUT THE WRITTEN APPROVAL OF THE  
ORO VALLEY TOWN COUNCIL.
32. ACCEPTANCE OF THE PLANS DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE OF THE FOLLOWING:  
1. WALL(S) RETAINING OR OTHER TYPES, 2. ANY REINFORCED CONCRETE STRUCTURE(S), & 3. ANY EMBANKMENT(S)  
WHOSE PRIMARY PURPOSE IS TO FUNCTION AS RETENTION/DETENTION STRUCTURE. SEPARATE PLAN CHECK(S) AND  
DESIGN(S) ARE PROVIDED. ALL IN ACCORDANCE WITH THE APPLICABLE CODES AND THE RESULT OF SOIL ANALYSES.

33. THE FLOODPLAIN USE PERMIT SHALL BE REQUIRED FOR BANK PROTECTION INSTALLATION AND ANY DRAINAGE STRUCTURE WITHIN 100-YEAR FLOODPLAIN.
34. THE PROPERTY OWNER, HIS SUCCESSORS, ASSIGNS OR A DESIGNATED HOMEOWNERS ASSOCIATION AGREES TO  
1.) KEEP ALL REQUIRED LANDSCAPED AREAS MAINTAINED IN A WEED FREE, TRASH FREE CONDITION,  
2.) REPLACE ANY DEAD PLANT MATERIALS WITHIN 90 DAYS, AND 3.) MAINTAIN THE IRRIGATION SYSTEM IN PROPER WORKING ORDER.
35. LOTS 288-291, 303-305, 313, 336, 339 & 340 ARE AFFECTED BY 100-YEAR FLOOD PLAIN AND WILL NEED FLOOD PLAIN USE PERMIT. FLOOD PLAIN USE PERMIT WILL BE REQUIRED PRIOR TO ISSUANCE OF BUILDING PERMIT.
36. ALL CONSERVATION EASEMENT AREAS SHALL BE FENCED OFF AND PROTECTED FROM DISTURBANCE DURING CONSTRUCTION.
37. ALL 100 YEAR FLOODPLAIN, RIPARIAN AREAS AND OPEN SPACE LIMITS OR WHICHEVER IS GREATER SHALL BE RECORDED AS CONSERVATION EASEMENTS ON THE FINAL PLAT.
38. CONSERVATION EASEMENTS SHALL BE RECORDED WITH THE FINAL PLAT AND WITH THE DEEDS TO EACH LOT WITHIN THE SUBDIVISION FOR ALL NO BUILD AREAS. ANY PROPOSED CHANGES OR ADJUSTMENTS TO THE CONSERVATION EASEMENTS INVOLVING AREAS THAT ARE NOT DEEMED SIGNIFICANT BY THE PLANNING AND ZONING ADMINISTRATOR MAY BE ACCOMPLISHED ADMINISTRATIVELY; OTHERWISE THEY SHALL BE REVIEWED BY THE TOWN COUNCIL.
39. IF DRAINAGE ACCESS-EASEMENTS ARE NOT PROVIDED, THEN THE MAINTENANCE OF DRAINAGE EASEMENTS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER. THE RECOMMENDED MAINTENANCE SCHEDULE FOR DRAINAGE STRUCTURES SHALL BE INCLUDED IN THE PROJECT CC&R'S OR OTHER SIMILAR DOCUMENT.
40. ALL BUYERS OF LOTS WITH CONSERVATION EASEMENTS SHALL BE INFORMED OF SUCH EASEMENTS. BUYERS WILL SIGN A FORM, PROVIDED AND MAINTAINED BY THE DEVELOPER, ACKNOWLEDGING RECEIPT OF THIS INFORMATION.  
NO CONSTRUCTION, CLEARING OF VEGETATION, ADDITION OF VEGETATION, GROUND DISTURBANCE, OR ALTERATION OF ANY FORM IS ALLOWED WITHIN THE CONSERVATION EASEMENT, EXCEPT THAT REMOVAL OF NON-NATIVE VEGETATION AND MAINTENANCE OF NATIVE VEGETATION IS ALLOWED AND IS THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION. ANY ACTIVITIES NOT EXPRESSLY ALLOWED REQUIRE APPROVAL OF THE HOMEOWNERS ASSOCIATION AND THE TOWN.

**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:** Tortollita Mountain Circle, Oro Valley, Arizona. From Tucson, take Oracle Road North to Tangerine Road, West to Rancho Vistoso Blvd., North to Tortolita Mountain Circle, West on Tortollita Mountain Circle.

## **UTILITIES**

**Electricity:** Tucson Electric Power Company, 520-623-7711, [www.tep.com](http://www.tep.com). Facilities have been completed to the lot lines. Purchasers costs: \$640 fee for estimated costs to lay the wire and set meter. Trenching, excavation, backfill and to place conduit is \$25 per foot from lot line to future home site. Turn on fee is \$32.00 plus tax. Meter \$20.00 plus tax.

**Telephone:** Centurylink 800-366-8201 [www.centurylink.com](http://www.centurylink.com). Facilities have been completed to the lot lines. Purchaser's costs: Installation fee of \$27.50, set up fee of \$35.00. Monthly fee will depend on the options purchasers selects. Trenching, backfill and placement of conduit included with the \$25 per foot cost as stated under Electricity and the same trench can be used for the dry utilities.

**Cable:** Choice of providers include: Comcast Cable, 520-744-1900, [www.comcast.com](http://www.comcast.com); Dish Network, 800-823-4929, [www.dishnetwork.com](http://www.dishnetwork.com); Direct TV, 888-777-2454, [www.directtv.com](http://www.directtv.com). The same trench used for the dry utilities. Installation fees, monthly costs, etc. are based on the package you select and the promotions that are being offered by the individual cable companies.

**Internet or Fiber Optic:** Centurylink or Comcast Cable. **Internet: Completed to the lot lines. Fiber Optic is to Granite Gorge.** Installation fee of \$19.95, Internet & Phone \$27.50 package. Providers offer a variety of bundled services, contact provider for details and prices. The same trench used for the dry utilities.

**Natural Gas:** Southwest Gas Corporation, 877-860-6020, [www.swgas.com](http://www.swgas.com). Facilities have been completed to the lot lines. Purchasers' costs: Meter set up fee of \$35.00 and an \$80.00; basic service monthly service fee of \$12.00 plus monthly usage costs. Cost depends on the number of gas appliances in the home. The appliance credits from SW Gas normally offset the cost. \$200 to \$500 out of pocket would be the average. The same trench used for the dry utilities.

**Water:** Oro Valley Water Utility, 520-229-5000; [www.ovalleyaz.gov](http://www.ovalleyaz.gov). Facilities have been completed to the lot lines. Purchaser's costs based on 1" meter: Establishment fee of \$30; Impact fee of \$18,870.00, meter fee of \$403.67 for a total of \$19,273.67. Cost to extend water

line from water meter to future home site (including excavation, backfill and PVC piping) is \$25 per foot. The same trench used for the dry utilities, if the conditions of the utility companies are meet. Monthly base rate of \$35.48 plus monthly water usage.

**Sewage Disposal:** Collection and disposal provided by Pima County Wastewater Management, 520-724-6500, [www.pima.gov/wwn](http://www.pima.gov/wwn). Facilities have been completed to the lot lines. Purchasers' costs: Establishment fee of \$15.00. Building permit fee based on \$264.61 for each fixture unit at approximately 40 fixtures per dwelling for a total of \$10,584.40. Cost to hook up sewer from stub to future home site (including excavation, backfill and ABS piping) is \$30 per foot. Monthly sewage service fee of \$12.63 and an activation charge of \$15.00 plus additional monthly fee based on water consumption. (Based on average 6,732 gallons water usage, cost would be additional \$26.21 per month).

**Garbage Services:** Republic Services aka Saguaro Environmental Services [www.republicservices.com](http://www.republicservices.com) 520-745-8820. Service level includes two times a week for trash and one time a week recycling services at \$16.00 a month. Members are billed quarterly.

**Subdivider has completed the extension of the utilities to the lot lines.**

**THE ABOVE LISTED PROVIDERS WILL MAINTAIN THEIR RESPECTIVE LINES WITHIN THIS SUBDIVISION OTHER THAN FROM LOT LINE TO DWELLING. PURCHASERS ARE ADVISED TO CONTACT THE ABOVE LISTED PROVIDERS REGARDING MAINTENANCE, 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:** Is complete. Public streets are surfaced with asphalt and are maintained by the Town of Oro Valley. Purchasers cost is included in their property taxes.

**Access within the Subdivision:** Is completed. Interior streets are private and will be surfaced with asphalt. Maintenance will be provided by Home Owners Association. Purchasers cost is included in the HOA assessments.

**Street Lights:** Not available.

**Flood and Drainage:** Rock rip rap and drainage channels have been completed along washes. Facilities will be maintained by the Homeowner's Association and Pima County Flood Control.



**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:**

- Painted Sky Elementary School (Grades K-5), 12620 N. Woodburne Ave, Oro Valley, AZ 85755 is located approximately 5.3 miles from the subdivision.
- Coronado Middle/Jr. High School (K-8), 3401 E. Wilds Rd., Oro Valley, AZ 85739. Distance from subdivision is approximately 10 miles.
- Ironwood Ridge High School (Grades 9-12), 2475 N. Naranja Dr., Oro Valley, AZ 85742 is located approximately 9.7 miles from the subdivision.

**PURCHASERS ARE ADVISED THAT SCHOOL BOUNDARIES AND SCHOOL BUS TRANSPORTATION MAY CHANGE. YOU SHOULD CONTACT THE AMPHITHEATER SCHOOL DISTRICT AT 520-696-5000 FOR THE CURRENT LOCATION OF SCHOOLS AND BUS SERVICE.**

**Shopping Facilities:** Available approximately 3 miles southeast.

**Public Transportation:** Sun Tran, 4220 S. Park Ave. Tucson, AZ 85714, 520-792-9222, [www.suntran.com](http://www.suntran.com). Bus stop at Oro Valley Marketplace and Northwest Hospital Oro Valley – 8 miles from subdivision.

**Medical Facilities:** Northwest Hospital Oro Valley at 1551 E. Tangerine Rd, Oro Valley, AZ. 85755 – 8 miles. Rancho Vistoso Urgent Care and Medical Center, 15631 N. Oracle Rd., Oro Valley, AZ 85755- 6 miles from subdivision

**Fire Protection:** Golder Ranch Fire Department is located approximately 2 ½ miles away. Costs included in real estate taxes.

**Ambulance Service:** Available by dialing 911.

**Police Services:** Town of Oro Valley Police Department

**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:** Gate House, Common Area “A” (Open Space) and Common Area “B” (Private Streets) maintained by the Stone Canyon Community Association.

**Within the Master Planned Community:** Parks, common areas, landscaping in street right of ways and street lighting on Rancho Vistoso Blvd. are maintained by the Homeowners Association.

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

**Assurances for Completion of Subdivision Facilities:** Facilities have been completed.

**Assurances for Maintenance of Subdivision Facilities:** Recorded CC&R’s, Articles of Incorporation and Bylaws for the Homeowners’ Associations, Agreements with the utility providers and the Town of Oro Valley.

### **PROPERTY OWNERS ASSOCIATIONS**

**Name and Assessments:** Stone Canyon Community Association, \$427.00 per quarter, with a one-time fee of \$1,000.00 (\$600.00 transfer fee and \$400.00 capital reserve fee), plus a \$90.00 HOA transfer fee. Vistoso Community Association, the Master Association fee are \$72.00 per quarter, plus a transfer fee of \$90.00.

Design Review Submittal Fees: Payable to Stone Canyon Homeowners Association - \$2,150.00  
Payable to Vistoso Homeowners Association - \$500.00

Construction Deposit:

Payable to Stone Canyon Homeowners Association - \$10,000.00 refundable Builder's Deposit.  
Payable to Stone Canyon Homeowners Association - \$1,000.00 non-refundable Road Maintenance Fee.

NOTE: In the Third Amendment to Declaration of Covenants, Conditions and Restrictions recorded in Sequence No. 20141500888 there is notice of an initiation fee for a Sports Membership that is mandatory for each lot owner. The lot owners receive access to the Stone Canyon Health & Fitness Center, which includes tennis courts, pickleball courts, swimming pool, indoor/outdoor Jacuzzis, fitness classes (additional fee), dinning privileges and all social events.

The Initiation Fee is \$5,000.00 due at closing and the check should be sent to: Stone Canyon Buffalo Golf, LLC at 405 W. Tortolita Mountain Circle, Oro Valley, AZ 85755. Dues are \$275.00 per month. Please read this Amendment carefully for all of the details on the obligation of each owner for the Sports Membership (paragraph 4.7.2).

**Control of Association:** To the lot purchasers when 3 to 1 voting ratio by Declarant is extinguished or neither Developer nor any Related Party owns fee title or beneficial title to any portion of the Property.

**Title to Common Areas:** Upon release of the assurance agreement and recordation of deed.

**Membership:** All lot Owners.

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

### **SUBDIVISION CHARACTERISTICS**

**Topography:** Gentle rolling desert with rock outcroppings.

Note: The area was used as a processing area for crushing material during the construction of Phase IV. The native top soil was disturbed. A soils report for compaction is recommended prior to all home builds.

**Flooding and Drainage:** The developer advises the subdivision is not subject to any known flooding or drainage problems. John A. Holley, P.E. with The WLB Group, in a letter dated July 25, 2011, cites the following, in part: A hydrology report was reviewed and approved by the

Town of Oro Valley, which determined the flood prone limits of the 100-year storm. The subdivision was designed in accordance with applicable Town of Oro Valley Standards. As a result of the design, the improvements were constructed in accordance with approved plans and specifications, and each lot was provided a building site in which there were no drainage hazards from the 100-year storm. The entire subdivision, as indicated by Flood Insurance Rate Map (FIRM) Community Panel No. 04019C1030K dated February 8, 1999 lies within "unshaded" Zone X, areas determined to be outside the 500-year floodplain. No flood insurance is required by the Federal Emergency Management Agency (FEMA).

**NOTE: Purchasers are advised that although flood insurance may not be legally required by FEMA, it may still be required by an individual, public or private lending institution.**

**Soils:** In a Geotechnical Evaluation Summary by Western Technologies, Inc. dated July 20, 2000 it states in part: The ground surface was hilly, boulder with rock outcrops and contained a sparse to moderate growth of saquaro, cholla, mesquite trees, palo verde, ocotillo, prickly pear and desert brush. Site drainage was sheet surface flow to arroyos crossing the site. As presented on Logs of Test Pits, surface soils to depths of one to two feet were found to be Silty Sands of nil plasticity. The materials underlying the surface soils and extending to the full depth of exploration consisted of moderately to highly weathered, hard, to very hard rock. Refusal to excavation was encountered in all test pits at depths ranging from three to six feet. Refusal occurred on weathered rock, or dense boulder strata. Groundwater was not encountered in any test pit at the time of exploration. Field seismic data indicated soil and/or weathered rock to a depth of about 4 feet with velocity value of 2679 ft/sec. The underlying material to a depth of 10 feet exhibited velocity of up to 4000 ft/sec. Near surface soils are of nil plasticity. These soils exhibit low expansion potential when recompacted, confined by loads approximating floor loads and saturated. Slabs-on-grade supported on recompacted native soils have a low potential for heaving if the water content of the soil increases.

**Adjacent Lands and Vicinity:** 1 acre residential and medium density residential, up to 4 units per acre, 1 house per 5 acre suburban ranch. High density residential retirement community. Catalina State Park is east of Oracle Road, approximately 10 miles from the subdivision. The subdivision is adjacent to residential horse property that includes a small airfield, La Cholla Airpark is approximately 2 miles southwest and a golf course on its southern boundary. The Tortolita Mountains and undeveloped land is adjacent to the north and northeast boundaries of the subdivision. There are commercial offices located approximately 5 miles from the subdivision. Information on schools may be found on page 6 of this report under the heading LOCAL SERVICES AND FACILITIES.

**Subdividers advise purchasers that the subdivision is located within open desert area that includes washes/creek beds; mountainous terrain; plants, insects and wildlife indigenous to a desert environment, some or all of which may be considered potential safety hazards to unsupervised children and adults.**

There are no natural gas pipelines within 500 feet of the subdivision boundaries.

**High Voltage Lines:** There are no existing or proposed high voltage power lines or any existing or proposed substations within the boundary of the subdivision or within ½ miles of the subdivision or boundary.

**Purchasers are advised that subdivider cannot guarantee nor control what is done with or built onto the lands adjacent to this subdivision.**

### **SUBDIVISION USE AND RESTRICTIONS**

**Use:** This offering is for lot without dwelling.

**Zoning:** Single family residences. Oro Valley - Planned Area Development

**Conditions, Reservations and Restrictions:** None other than stated in recorded CC&R's as listed in Exhibit "A".

**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 Pima County Recorder. Information about zoning may be obtained at the Office of the Oro Valley Planning and Zoning Department. Restrictions are recorded as cited in the following title exceptions and per the subdivision plat.

### **AIRPORTS**

**Military Airport:** This subdivision is not in the vicinity of a military airport.

**Public Airport:** The subdivision is not in the vicinity of Tucson International Airport, which is approximately 25 miles away.

**Airport:** The subdivision is located approximately 2 miles northwest of the La Cholla Airpark, a private facility.

### **TITLE**

**Title to this subdivision** is vested in TMC-DM, L.L.C., an Arizona limited liability company.

**Subdivider's interest in** this subdivision is evidenced by a recorded deed.

**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 November 6, 2014 issued by Fidelity National Title Agency, Inc. **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:** All purchasers will enter into a sales agreement and receipt for deposit. Purchasers' vested interest/ownership will be evidenced by delivery of a recorded deed.

**YOU ARE ADVISED THAT EARNEST MONEY DEPOSITS, DOWN PAYMENTS AND OTHER ADVANCED MONEY WILL BE PLACED IN A NEUTRAL ESCROW ACCOUNT WITH ESCROW AGENT FIDELITY NATIONAL TITLE AGENCY.**

**Release of Liens and Encumbrances:** Purchasers will receive title free and clear of all liens, except those shown by the public records such as real estate taxes not yet due and payable.

**Use and Occupancy:** Purchasers will be able to use and occupy their lot upon close of escrow and recordation of the conveyance deed and all applicable financing documentation.

**Leasehold Offering:** None.

**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:** For the year 2014, the estimated property tax for an unimproved lot without dwelling based on an average sales price of \$200,000.00 is \$ 2,828.00.

**Special District Tax or Assessments:** None known to developer.

**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"**

### **SCHEDULE B EXCEPTIONS**

Schedule B of the Policy or Policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company.

1. Property taxes, which are a lien due and payable, including any assessments collected with taxes to be levied for the year 2014.
2. Reservations, exceptions and provisions contained in the patent and in the acts authorizing the issuance thereof.
3. Water rights, claims or title to water, whether or not disclosed by the public records.
4. Any rights, liens, claims or equities, if any, in favor of Pima Flood Control District.
5. Any rights, liens, claims or equities, if any, in favor of Town of Oro Valley District.
6. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No: Docket 8021, page 925

Thereafter First Amendment recorded in Docket 8327, page 2058

Second Amendment recorded in Docket 8629, page 576

Third Amendment recorded in Docket 10037, page 1540

Fourth Amendment recorded in Docket 11565, page 1377

Thereafter Tract Declaration and Supplementary recorded in Docket 12819, page 4453

Thereafter Assignment and Assumption of Declarant's Rights recorded in Sequence #2011 1430237

Liens and charges as set forth in the above mentioned declaration,

Payable to: Vistoso Community Association

7. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No: Docket 10894, page 2917



8. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No: Docket 11020, page 1754

Thereafter First Amendment recorded in Docket 11869, page 1479

Thereafter Supplemental Declaration recorded in Docket 12819, page 4448

Thereafter Assignment and Assumption recorded in Sequence #20111430236

Thereafter Supplemental Village Declaration recorded in Sequence #20141500887

Thereafter Amendment to Village Declaration recorded in Sequence #20141500888

Liens and charges as set forth in the above mentioned declaration,

Payable to: The Stone Canyon Community Association, Inc.

9. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No: Docket 12171, page 1439

10. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No: Docket 12819, page 4492

11. Covenants, conditions, restrictions and easements but omitting any covenants or restrictions, if any, including but not limited to those based upon race, color, religion, sex, sexual orientation, familial status, marital status, disability, handicap, national origin, ancestry, source of income, gender, gender identity, gender expression, medical condition or genetic information, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law, as set forth in the document

Recording No: Docket 13252, page 1420

12. Easements, covenants, conditions and restrictions as set forth on the plat recorded in Book 61 of Maps, Page 19.

13. A deed of trust to secure an indebtedness in the amount shown below,

Amount: \$654,000.00

Dated: April 28, 2011

Trustor/Grantor TMC-DM, LLC, an Arizona limited liability company

**Trustee:** Pat P. Lopez III, an Attorney licensed in the State of Arizona  
**Beneficiary:** The Robert and Marie Hansen Foundation  
**Recording Date:** May 5, 2011  
**Recording No:** 20111250407

**14. Matters contained in that certain document**

**Entitled:** Substitute and Assurance Agreement

**Recording No:** 2011 1260673

Reference is hereby made to said document for full particulars.

**Tax Note:**

**Year:** 2014

**Tax Parcel No:** 219-05-0210, 219-05-0220, 219-05-0240

**NOTE:** There are no further matters of record concerning this subdivision through the date of this report.  
**END OF SCHEDULE B**