



**"WE NOTICE OUR BUYERS AND SELLERS"  
DISCLOSURES AND RECOMMENDATIONS**

You are now in possession of Long Realty Company's "We Notice Our Buyers and Sellers" disclosures and recommendations booklet which will assist you in better understanding the key resources available and steps necessary to successfully complete your real estate transaction.

As you examine the material in this disclosure booklet, here is what to look for inside:

- The Affiliated Business Arrangement Disclosure Statement and Receipt.
- Disclosures and Recommendations.
- A list of Property Inspection Companies.
- Military and Public Airport Area Maps.
- A Comparison to taking title in Arizona and Common Ways to take title in Arizona.
- Arizona "Good Funds" Law - Disbursement of Funds Information.
- Helpful Telephone Numbers for Consumers.
- Homeowner's Association Disclosure
- Information on Home Warranty Protection Plans.
- Swimming Pool Barrier Laws - How to prevent drowning or near drowning.

**ACKNOWLEDGEMENT OF RECEIPT:**

The undersigned acknowledges receipt of all 28 pages of this "WE NOTICE OUR BUYERS AND SELLERS / DISCLOSURES AND RECOMMENDATIONS" advisory booklet. The undersigned further acknowledges that there may be other items or issues of concern involved in the purchase or sale of real property not listed in this advisory booklet. The undersigned is responsible for making all necessary inquiries and disclosures and consulting the appropriate persons or entities prior to the purchase or sale of any property.

The information in this advisory booklet is provided with the understanding that it is not intended as a substitute for legal or other professional services or advice. These advisory materials and disclosures have been prepared for general informational purposes only. The information and links contained herein may not be updated or revised for accuracy. If you have any additional questions or need advice, please contact your own lawyer or other professional representative.

\_\_\_\_\_  
Name (Date) Name (Date)

**Please sign and return to your Agent**






# AFFILIATED BUSINESS ARRANGEMENT DISCLOSURE

To: Our Clients and Customers

From: Roy H. Long Realty Company, Inc.

This is to give you notice that Roy H. Long Realty Company, Inc. d/b/a Long Realty Company has business relationships with the following settlement service providers: HomeServices Lending, LLC d/b/a Long Mortgage Company; HomeServices Insurance, Inc. d/b/a Long Insurance; and Long Title Agency, LLC. HomeServices Lending, LLC is jointly owned by HMSV Financial Services, Inc. (49.9%) and Wells Fargo Ventures, LLC (50.1%). Long Title Agency, LLC is jointly owned by Long Realty Company (55%) and Title Security Agency of Arizona (45%). Long Realty Company, HMSV Financial Services, and Long Insurance are subsidiaries of HomeServices of America, Inc. Long Realty Company has contractual relationships with American Home Shield Corporation and 2-10 Home Buyers Resale Warranty Corporation. Because of these relationships referrals to any of these settlement service providers may provide Long Realty Company or its affiliates with a financial or other benefit.

Set forth below is the estimated charge or range of charges for each of the settlement services listed. You are NOT required to use any of these settlement service providers as a condition of the subject property or to obtain mortgage financing, title insurance, closing services or homeowner's insurance:

<u>Service Provider</u>	<u>Service Provided</u>	<u>Charge or Range of Charges</u>
 <b>Long Title Agency, LLC</b> , is an Arizona Limited Liability Company which is jointly owned by Long Realty Company (55%) and Title Security Agency of Arizona (45%).	Title Search	Title Insurance (Owner): Premiums may range from \$720 - \$3600 and are based on the purchase price. Lender's Coverage, if applicable: Premiums may range from \$660 - \$3300 and are based on the amount of the loan and the lender's requirements. For more information, call 520-918-4853.
 <b>Title Security Agency of Arizona</b> , is an Arizona Corporation which is independently owned and operated.	Escrow Closing Services	Title Settlement or Closing Fee:  \$250 to \$1,000-Contact your Escrow Officer or call 520-885-1600 for more information.
 <b>Long Mortgage</b> is the dba for HomeServices Lending, LLC, a Minnesota Limited Liability Company which is jointly owned by HMSV Financial Services (49.9%) and Wells Fargo Ventures, LLC (50.1 %).	Loan Origination	Mortgage Fees (including closing costs, points, appraisal, and other closing fees): \$0 up to 3.0% of the loan amount—Contact Your Loan Officer or call 520-918-1679 for more information.
 <b>Long Insurance</b> is the dba for HomeServices Insurance, Inc. a Nebraska corporation which owns 100% of the company.	Homeowner's Insurance	Policy premiums range from \$300-\$1500 depending on product and associated risk assessments (e.g. age of home, credit score and past claims of the insured, etc.). For more information, call 520-918-6565.
 <b>American Home Shield and 2-10 Home Buyers Resale Warranty</b> are out of state corporations which are authorized to do business in Arizona and are independently owned and operated.	Home Warranty	\$350 to \$1,230-Contact your Home Protection Company representative for options and pricing. For more information call: AHS: 1-800-735-4663 or 2-10: 1-800-795-9595

You are NOT required to use these companies as a condition for the financing or purchase of the subject property. **Long Realty Company Sales Associates do not receive any compensation for referring these affiliated services companies to you.**

**THERE ARE FREQUENTLY OTHER SETTLEMENT SERVICE PROVIDERS AVAILABLE WITH SIMILAR SERVICES. YOU ARE FREE TO SHOP AROUND TO DETERMINE THAT YOU ARE RECEIVING THE BEST SERVICE AND THE BEST RATE FOR THESE SERVICES.**

**ACKNOWLEDGMENT OF RECEIPT OF DISCLOSURE- SIGN AND RETURN TO YOUR AGENT:**

I/we have read this disclosure form, and understand that Long Realty Company is referring me/us to purchase the above-described settlement service(s) and may receive a financial or other benefit as the result of this referral.

Name \_\_\_\_\_ (Date) \_\_\_\_\_ Name \_\_\_\_\_ (Date) \_\_\_\_\_



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Set forth below is the estimated charge or range of charges for each of the settlement services listed. You are NOT required to use any of these settlement service providers as a condition of the subject property or to obtain mortgage financing, title insurance, closing services or homeowner's insurance:

<u>Service Provider</u>	<u>Service Provided</u>	<u>Charge or Range of Charges</u>
 <p><b>Long Title Agency, LLC</b>, is an Arizona Limited Liability Company which is jointly owned by Long Realty Company (55%) and Title Security Agency of Arizona (45%).</p>	Title Search	Title Insurance (Owner): Premiums may range from \$720 - \$3600 and are based on the purchase price. Lender's Coverage, if applicable: Premiums may range from \$660 - \$3300 and are based on the amount of the loan and the lender's requirements. For more information, call 520-918-4853.
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**ACKNOWLEDGMENT OF RECEIPT OF DISCLOSURE- CLIENT COPY**

I/we have read this disclosure form, and understand that Long Realty Company is referring me/us to purchase the above-described settlement service(s) and may receive a financial or other benefit as the result of this referral.

Client Copy

## **"WE NOTICE OUR BUYERS AND SELLERS" DISCLOSURES AND RECOMMENDATIONS**

When buying or selling a residential property or a parcel of land, there will be other documents besides those which are provided in this packet that you will receive from other sources. Here is a partial list of documents or disclosures that you can expect to receive prior to the close of escrow:

1. **PURCHASE CONTRACT:** Carefully read all purchase contract documents, addenda, counter-offers and disclosure statements to understand your legal rights and obligations.
2. **SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS):** Unless otherwise agreed, a Seller will provide the buyer with a signed disclosure questionnaire in which the Seller itemizes all past, present and future KNOWN material facts and conditions of the property. The SPDS is a standard form prepared by the Arizona Association of REALTORS® for Residential, Commercial and Vacant Land/Lot unimproved properties. Your real estate agent is not responsible for verifying the accuracy of the items on the SPDS. Therefore, read the SPDS over carefully and ask your agent questions regarding anything you do not understand. Check out blank spaces, unclear answers and any other information important to you.
3. **PROFESSIONAL HOME INSPECTION REPORT:** A professional property inspection is always recommended to identify material defects at a property. The Arizona Board of Technical Registration lists certified home inspectors available to perform property inspections at [www.btr.state.az.us](http://www.btr.state.az.us). The inspector will generally provide a report which should be carefully reviewed by the parties to the transaction. A list of local property inspectors is enclosed with this booklet. After reviewing the home inspection report, a buyer may wish to conduct additional inspections of the matters addressed in the report such as the pool, roof, plumbing, and structure.
4. **BANK OWNED PROPERTY (REO's), INVESTOR OR ESTATE SALES:** Buyers are advised that in some transactions, such as Bank Owned Property (REO), Investor or Estate sales, the "Seller" may decline to provide a completed Seller Property Disclosure

Statement (SPDS), Resale Disclosure Affidavit or other relevant document. In such an event, Buyers may ordinarily cancel the transaction within the inspection period or continue to complete the transaction. Long Realty advises Buyers in such transactions to review the information that would have been provided with a completed SPDS or Resale Affidavit and conduct diligent efforts to confirm any and all information that could have been contained in these documents during the inspection period.

5. **SHORT SALES:** Buyers and Sellers who are contemplating a Short Sale should review with their real estate agent the typical steps necessary for the Seller to obtain short sale approval from the Seller's creditors, the likely time required to gain lender approval, and the Buyer's rights as specified in the Short Sale Purchase Addendum, prepared by the Arizona Association of REALTORS®.

Long Realty advises Sellers contemplating a Short Sale to consult with their tax and legal experts regarding possible IRS tax provisions or potential issues regarding the loan payoff and/or deficiency that may be involved with a Short Sale. The Short Sale Seller Advisory prepared by the Arizona Association of REALTORS® and the Arizona Department of Real Estate at: [WWW.AARONLINE.COM](http://WWW.AARONLINE.COM) or [WWW.LONGREALTY.COM](http://WWW.LONGREALTY.COM) contains useful information regarding this process.

6. **TERMITES AND OTHER PESTS:** Termites, scorpions, bees, pack rats, black widow spiders, cockroaches, rattlesnakes and other pests are common in Southern Arizona. Buyers should review the Seller's Property Disclosure Statement (SPDS) to determine if the Seller discloses a wood infestation history at the property. Long Realty Company advises Buyers to thoroughly investigate for the past and present presence of such pests and any wood-destroying organisms or insects with licensed pest control professionals and to discuss any damage they may have caused with other qualified inspectors. If a current termite insurance warranty is in force, it may be transferable to the Buyers prior to the close of escrow. A fee may be necessary to transfer an existing termite insurance warranty contract from Sellers to Buyers. For termite treatment history, information may be obtained online from the Arizona Office of Pest Management (OPM) at [www.sb.state.az.us](http://www.sb.state.az.us) or at 800-223-0618.

7. **ROOF INSPECTION REPORT:** A roof inspection by a licensed roofer is highly recommended to examine the roof structure and conditions conducive to water penetration. The inspector will generally provide a written report which should be carefully reviewed by the parties to the transaction.
8. **INSURANCE CLAIMS ("CLUE") REPORT:** The purchase contract will generally require a seller to provide a list of any insurance claims for the past five years, or for the length of time the Seller has owned the property if less than five years. Typically, this information is provided in a "CLUE" report. This report indicates whether Sellers have made insurance claims against their homeowner's hazard insurance policy in the last five years, which may affect the future insurability of the property. A Buyer may request a copy of a CLUE report or its equivalent when making an offer to purchase. Buyers are further advised to consult with their own homeowner's insurance company during the inspection period to determine the insurability of the subject property. Your insurance agent may also be able to assist you in obtaining information regarding fire, flood, or other past damage to the property.
9. **POLYBUTYLENE PLUMBING:** Polybutylene pipe (PB) was often used by builders in homes built between 1978 and 1995. With time, PB pipes may break down under chlorine and heat and begin to leak around fittings. A Buyer should consult with a professional inspector whether the property has PB pipe (usually gray with fittings of gray or white plastic) or copper. If the property has PB pipe, Long Realty advises Buyers to use a licensed plumber to determine the status of the plumbing in the home they wish to purchase. Buyers may also wish to investigate whether a home protection warranty and/or standard homeowner's hazard insurance policy may cover some but not all of the cost of repairs in the event of a plumbing leak.
10. **MOLD:** If a property has had water damage or infiltration, mold issues may exist as most varieties of mold thrive on moisture. Testing and remediation may be necessary in the event there is evidence of past or present moisture penetration from the roof or windows, flooding or standing water, plumbing leaks or from other water intrusions. In the event one or more of these events is discovered or disclosed, Long Realty advises Buyers to hire an environmental expert to conduct specific tests or suggest appropriate remediation.
11. **LEAD-BASED PAINT DISCLOSURE:** By law, a Seller must provide a disclosure of information on lead-based paint or lead paint hazards on properties constructed before January 1, 1978. The Buyer will also be provided with a 10 day opportunity to conduct a risk assessment or inspection. A Buyer must also be provided with a copy of the EPA approved booklet entitled Protect Your Family From Lead-Based Paint in Your Home. For properties constructed before January 1, 1978, Buyers and Sellers are advised to use certified contractors to perform renovation, repair or painting projects that may disturb lead-based paint to prevent lead contamination. EPA approved renovation firms may be found for your local area at [www.epa.gov/lead](http://www.epa.gov/lead).
12. **AIRPORT DISCLOSURES:** By law, a map must be provided to a Buyer who purchases property located within the designated territory in the vicinity of a military airport and a public airport(s), if applicable. A copy of the Davis-Monthan Air Force Base Airport Vicinity Map, Tucson International Airport and Ryan Airfield Map are enclosed with this booklet. Please review these maps during your inspection period.
13. **PRELIMINARY TITLE COMMITMENT:** This is a report issued by the title company pertaining to the property being purchased which includes: copies of recorded liens, easements, claims, notices, mineral rights, and any other recorded documents. This commitment will also include any conditions, limitations or requirements that must be met in order to insure the title to the property. Buyers of vacant land should consider the purchase of an extended ALTA policy to cover title risks that might apply to the land. Always review your preliminary title commitment upon receipt of this report.
14. **GOVERNING DOCUMENTS:** These include Covenants, Conditions & Restrictions (CC&R's), Articles of Incorporation and By-Laws of the Homeowners' Association which may be provided to the Buyer by the title company. These documents should be reviewed upon receipt.
15. **HOMEOWNERS' ASSOCIATION "RESALE" STATEMENT:** By law, this is a statement provided by a Seller or by the HOA to the Buyer of a townhouse, condo, or a property governed by a homeowners' association which will provide important information on the unit itself and the subdivision in which it is located. See A.R.S. § 33.1260 and § 33-1806. A listing of the disclosure items which must be provided to the Buyer

is enclosed and is entitled: "Homeowner's Association Disclosure". Also, be aware that some HOAs impose fees that must be paid when the property is sold, so ask if the purchase of the property will result in any fees.

16. **SUBDIVISION DISCLOSURE REPORT** (Public Report): If the property is located within a subdivision (where land has been or will be divided into six or more lots) a Public Report should be on file with the Arizona Department of Real Estate which has material information about the subdivision in which the property is located. Public Reports are available on the ADRE website: [www.azre.gov](http://www.azre.gov)
17. **RESALE DISCLOSURE AFFIDAVIT** (Affidavit of Disclosure): By law, a seller of five or fewer parcels of unsubdivided land in an unincorporated area of a county must furnish a notarized affidavit of disclosure to the Buyer at least seven days before the transfer of the property. This requirement applies to parcels even if they have a residence or other improvements on them. A standard form approved by the Arizona Legislature will be used to make the required written disclosure. Long Realty advises Buyers to consult with a legal advisor regarding the Affidavit with any questions or concerns they may have about the disclosure.
18. **VACANT LAND**: Buyer's should conduct extra due diligence when purchasing vacant land. If the Seller has a recent survey, a Buyer should examine it to determine if it adequately describes the boundaries, total acreage, and access to the property. If there is no survey, Buyers should arrange for a survey of the property during their inspection period. The Buyer should investigate the location of and distance to all utility hook-ups from the lot line and access to local water service. Utilities may include gas, water, electricity, telephone, sewer, and cable and, if a sewer is not available, Buyers may request or obtain percolation tests for a septic system. Costs may be charged by any governmental entity, utility provider or property owners association with respect to any proposed construction or improvements; this should be investigated by Buyer during the inspection period. Buyers should satisfy themselves as to the status of zoning, easements, and physical access to the property. They should review any road maintenance agreements, well agreements, and possible encroachments and consult with an attorney to review any issues that might affect their intended use of the land.
19. **SURVEY**: If property boundaries are a concern, a survey may be warranted. For example, a survey may be advisable if there is an obvious use of a property by others (i.e., a well-worn path across a property and/or parked cars on the property) or fences or structures of adjacent property owners that appear to be built on the property. For more information, visit the Arizona Professional Land Surveyors website at [www.azpls.org](http://www.azpls.org). A list of surveyors may be obtained from the Board of Technical Registration at [www.btr.state.az.us](http://www.btr.state.az.us).
20. **COUNTY ASSESSOR/TAX AND OTHER PUBLIC RECORDS**: Public records often contain important information relating to a property, including the assessed value of the property for tax purposes and some of the physical aspects of the property, such as the reported square footage. The date built information in the Assessor's records can be either the actual or effective/weighted age if the residence has been remodeled. Records can be found at [www.asr.pima.gov/](http://www.asr.pima.gov/). All information on the website should be verified for accuracy. The Seller may have made repairs or added a room to the property. The buyer should feel comfortable that the remodeling work was properly done or have an expert evaluate the work. Request copies of permits, invoices or other documentation regarding the work performed. Square footage on the MLS printout or as listed by the County Assessor's records is often only an estimate and generally should not be relied upon for the exact square footage in a property. An appraiser or architect can measure the property's size to verify the square footage.
21. **FLOOD ZONE**: The Federal Emergency Management Association (FEMA) has embarked on a nationwide program to modernize and update its current flood hazard maps. FEMA has determined that areas within Southern Arizona, especially parts of Cochise County, Santa Cruz County and Pima County, particularly areas affecting the Town of Marana, may be added to floodplain designations which are associated with a higher risk of flooding. Residents in those areas may be required to purchase flood insurance for their homes and businesses. Floodplain maps and flood insurance information may be viewed online. See [www.fema.gov](http://www.fema.gov), [www.floodsmart.gov](http://www.floodsmart.gov) <http://pcmaps1.pima.gov/mapps/rfcd/parcelsearch/> or [www.marana.com](http://www.marana.com) for additional information.

22. **SWIMMING POOLS AND SPAS:** Pursuant to A.R.S. § 36-1681(E), all prospective pool owners must receive a notice explaining the Arizona Department of Health Services' recommendations on residential pool safety. This notice is included with this booklet along with information on local pool barrier laws.
23. **SEPTIC AND ON-SITE WASTEWATER TREATMENT FACILITIES:** If the property is not connected to a public sewer, it is probably served by an on-site wastewater treatment facility (septic or alternative system). A qualified inspector must inspect any such facility within six months prior to transfer of ownership. For information on current inspection and transfer of ownership requirements, contact the specific county environmental/health agency where the property is located or the Arizona Department of Environmental Quality at [www.azdeq.gov](http://www.azdeq.gov).
24. **WATER AND WELL ISSUES:** If a property is not located within a subdivision, there may be limited or no access to public water. Buyers should investigate the availability and quality of the water and water sources to the property during the inspection period.
25. **SOIL PROBLEMS:** Properties built on certain soils may experience significant movement causing a major problem. If the property is subject to any such soil conditions or if the buyer has any concerns about the soil condition or observes evidence of cracking, the buyer should secure an independent assessment of the property and its structural integrity by a licensed, bonded, and insured professional engineer. A list of state certified professional engineers and firms can be found at [www.btr.state.az.us](http://www.btr.state.az.us).
26. **PREVIOUS FIRE/FLOOD:** If there has been a fire or flood on the property, Buyers should review this information and investigate any possible future problems or repairs that may be required as a result of the fire or water damage during the inspection period. An insurance agent may be of assistance in providing information regarding past fire or water damage and what impact that may have on the cost of, or insurability of, the property.
27. **HOME WARRANTY:** If a home warranty is to be provided in connection with the sale of the property, Buyers should review the policy for information regarding the coverage that is provided and limitation information. Information on home warranty companies is included with this booklet.
28. **DEATHS AND FELONIES ON A PROPERTY:** Sellers and real estate licensees have no liability for failure to disclose a property was the subject of a natural death, suicide, murder or felony. A.R.S. §32-2156. Law enforcement may be able to provide you with information related to calls made to the property address. Information on criminal activity at or near a property may also be accessed through: [www.crimereports.org](http://www.crimereports.org).
29. **SEX OFFENDERS:** By Arizona law, a seller or broker is not required to disclose whether a registered sex offender has been the subject of a neighborhood flyer notification program by local authorities. Information regarding registered sex offenders (from June 1996 to present) may be found at the offices of the Tucson Police Department or the Pima County Sheriff's Department. Information may also be obtained at [WWW.AZSEXOFFENDER.ORG](http://WWW.AZSEXOFFENDER.ORG).
30. **DRUG LABS:** To review a list of seized drug laboratory sites, sites where drug manufacturing chemicals were seized or a list of firms offering drug lab site cleanup services, access the Arizona Board of Technical Registration at [www.azbtr.gov](http://www.azbtr.gov) or call 602-364-4948 for any questions.
31. **RADON:** Radon is a natural hazard that may be found in soil and underlying rock formations in sites around Arizona. A "Homeowners Guide to Geologic Hazards" disclosure by the Arizona Geological Survey may be found at [www.azgs.az.gov](http://www.azgs.az.gov) or by calling the Tucson office of AZGS at 770-3500. If this matter is of material interest, Buyers should arrange for Radon testing during their inspection period.
32. **SUPERFUND MAP METRO-TUCSON PROGRAM SITES:** The Arizona Department of Environmental Quality (ADEQ) has published its "Superfund Map," a copy of which is included in this disclosure booklet. It depicts the locations and site boundaries of federal Superfund, WQARF and DOD sites. For further information for metro-Tucson or other sites throughout the state, Buyers are advised to visit [WWW.ADEQ.STATE.AZ.US](http://WWW.ADEQ.STATE.AZ.US).
33. **INTERNET/CABLE/WIRELESS RECEPTION:** Internet and cable access and wireless reception may be limited or even not available at certain properties. If this type of access and reception is important to



a Buyer, it should be investigated during the Inspection period.

34. **GOLF COURSE DISCLOSURE:** Buyers are advised to investigate the status and operation of any local golf course which may be of material interest prior to writing a purchase contract, or during the due diligence Inspection Period specified within the Purchase Contract. Financial or other considerations, if any, may affect the current condition or future operation of a particular golf course.
35. **LOAN STATUS:** Unless a buyer is paying cash, the buyer must qualify for a loan in order to complete the purchase. A buyer should complete a loan application with a lender before making an offer on a property if at all possible. It will be the buyer's responsibility to

deposit any down payment and insure that the buyer's lender deposits the remainder of the purchase price into escrow.

Buyers should make sure all requested documentation is provided to the lender or escrow agent as soon as possible and verify their lender will deliver the necessary funds and/or provide any necessary approvals by the scheduled closing date. **If the parties are notified, or have reason to believe, they will not be able to close by the scheduled closing date, they must immediately notify their Long Realty sales associate.**



## **FAIR HOUSING DISCLOSURE**

Long Realty Company, its employees and sales associates support the right to Fair Housing for all. We shall not discriminate on the basis of race, color, sex, religion, handicap, familial status, national origin or sexual orientation in the marketing or selling of residential, lot, land or commercial properties. To report housing discrimination, please contact the Designated Broker for Long Realty Company at 520-918-3800.

### **FOR SELLERS- LONG REALTY'S RECOMMENDATIONS FOR DISCLOSURES:**

Under Arizona law, Sellers are obligated to disclose all known material (important) facts about the property to the buyer. A Seller should complete the written disclosure (SPDS) at the time the listing employment agreement is signed and submit it to the Seller's real estate agent. In the event the Seller learns new information about the property, or conditions at the property change, the SPDS should be updated so that all material information about the property can be disclosed to the Buyer. When in doubt, **DISCLOSE**.

### **FOR BUYERS- LONG REALTY'S RECOMMENDATIONS FOR INSPECTIONS:**

Long Realty Company and its sales associates do not have expertise as a termite inspector, plumber, roofer, pool contractor, soils or structural engineer, land surveyor, property appraiser, insurance agent, radon or mold investigator. Failure to conduct inspections for such items prior to the close of escrow may prove costly to remediate if discovered after escrow closes. Buyers are advised to hire experts to conduct such tests.

In making a real estate purchase, Buyers must exercise their own DUE DILIGENCE. Long Realty advises Buyers to conduct inspections for any items they deem material to their purchase during the inspection period. As a buyer, it is your responsibility to investigate all material facts of interest to you, to thoroughly examine the condition of the property and to conduct all desired inspections. Long Realty strongly advises you to consult with experts to get the facts you need before you decide to buy.

Long Realty Company strongly advises Buyers to hire qualified professional inspectors to determine the condition of the property or improvements, conduct all inspections and due diligence desired, and to verify all information contained in the Seller's Property Disclosure Statement (SPDS), other disclosure documents or Seller Warranties, and the property MLS Flyer.

Items that all Buyers should check out before the purchase of any property include, but are not limited to:

- ITEMS IN HOME INSPECTION REPORT: A list of licensed home inspectors is attached hereto.
- ROOF: A roof inspection by a licensed roofer is highly recommended.
- TERMITES AND OTHER PESTS: Use a licensed pest inspector to check for termites, conditions conducive to termite infestation and for rodents, insects or bees. Check with the Arizona Office of Pest Management for a history of termite treatments at the property.
- WATER DAMAGE: Use a licensed plumber to check for leaks and polybutylene plumbing.
- MOLD: Consider using a certified mold inspector to conduct a mold inspection.
- LEAD PAINT: Check for any lead-based paint hazards on homes built prior to 1978.
- CRACKS/SETTLEMENT: Use a structural engineer to check for foundation cracks and soil conditions conducive to settlement.
- INSURANCE: Confirm the insurability of the property with your homeowner's insurance agent during the inspection period.
- PUBLIC RECORDS: Check for building permits for any room additions, enclosures, outbuildings or structural changes.
- SQUARE FEET: Verify square footage measurements of the home, garage and any other structures as well as the lot.
- LOT LINES: Use a land surveyor to verify property lines, boundaries, possible encroachments, legal access and other land/lot issues.
- PERMITTED USES: Verify zoning and permitted uses, and any CCR's which may apply to the property.
- FLOOD ZONE: Confirm floodplain status and whether flood insurance will be required.
- SEWER/SEPTIC: Verify whether the property is on sewer or septic, and certify the septic system if applicable.
- POOL SAFETY: Use a pool expert to inspect a pool or spa and to determine if they comply with AZ barrier laws.
- INTERNET/CABLE/WIRELESS: Check out access to cable, internet and wireless accessibility.
- HOA: Check the rules, transfer requirements and assessments in a HOA association when applicable.
- ENVIRONMENT: Check out environmental or neighborhood conditions, superfund sites or waste dumps that may affect your enjoyment of the property.
- NOISE: Check for commercial or military airplane flight patterns and noise levels near the property.
- ROAD AND TRAFFIC CONDITIONS: Check with your local regulatory agency to learn more about local road and traffic conditions.
- CRIME: Check for crime statistics and registered sex offenders residing in the area.
- SCHOOLS: Investigate the schools and school district in which the property is located. Visit [www.ade.state.az.us](http://www.ade.state.az.us) for more information.
- HOME WARRANTY: If a home warranty is part of the sale (highly recommended), check out the coverage provided and exclusions.
- BUILDER QUALIFICATIONS: For new construction, verify whether the builder is a licensed Arizona contractor with the Registrar of Contractors: <http://www.azroc.gov/>.

**Please request sufficient time in your Purchase Contract to obtain desired inspections, repairs or other remedies. Long Realty and its sales associates do not conduct property inspections or final walkthrough inspections for you.**

**WALK-THROUGH:** Buyers should always conduct a final walk-through inspection of the property prior to the close of escrow. After an extended closing period of more than 30 days, Buyers should obtain a second or "updated" wood infestation inspection report, at the Buyers' expense, for review prior to the final walk-through inspection of the property.

## **MARKET CONDITIONS ADVISORY:**

The real estate market is cyclical and real estate values go up and down. The financial market also changes, affecting the terms on which a lender will agree to loan money on real property. It is impossible to accurately predict what the real estate or financial market conditions will be at any given time. The ultimate decision on the price a Buyer is willing to pay and the price a Seller is willing to accept for a specific property rests solely with the individual Buyer or Seller. The parties to a real estate transaction must decide on what price and terms they are willing to buy or sell in light of market conditions, their own financial resources and their own unique circumstances. Buyer and Seller assume all responsibility should the return on investment, tax consequences, credit effects, or financing terms not meet their expectations. The parties understand and agree that the Broker(s) do not provide advice on property as an investment. Broker(s) are not qualified to provide financial, legal, or tax advice regarding a real estate transaction. Therefore, Broker(s) make no representation regarding the above items. Buyer and Seller are advised to obtain professional tax and legal advice regarding the advisability of entering into this transaction.

### **GOOD FUNDS LAW:**

Arizona law states that an escrow agent shall not disburse money from an escrow account until funds related to the transaction have been deposited and are made "good" in the escrow depository bank account. The escrow agent cannot provide proceeds to a Seller or record a transfer of title until money is available. Buyers should note that this law may affect the time needed for recordation, possession or the disbursement of real estate funds. A copy of "Good Funds" criteria is included in this booklet. Buyers should consult with their escrow officer for further details.

### **FOREIGN BUYERS & SELLERS:**

Long Realty advises Non U.S. Citizens or Residents to investigate IRS tax regulations and other issues relating to the purchase or sale of U.S. real estate under the Foreign Investment in Real Estate Act of 1980, also known as the FIRPTA Law, with a qualified CPA or attorney.

### **SPANISH LANGUAGE TRANSLATIONS:**

The Arizona Association of REALTORS® has prepared Spanish language versions of select contract forms, including the Residential Resale Real Estate Purchase Contract, as a companion translation only and not to be signed and used as a transaction document. Interested Buyers may view this and other companion translation forms at [www.aaronline.com](http://www.aaronline.com). Select "Sample Forms" then click on "Spanish Translations."

### **ARIZONA DEPARTMENT OF REAL ESTATE - BUYER ADVISORY:**

In conjunction with the Arizona Association of Realtors, the Arizona Department of Real Estate has published a directory of informational resources entitled the Buyer Advisory. The Buyer Advisory contains a wide range of helpful facts and linkages to related websites. Buyers may access the Buyer Advisory via [WWW.AARONLINE.COM](http://WWW.AARONLINE.COM) or [WWW.LONGREALTY.COM](http://WWW.LONGREALTY.COM). Long Realty advises Buyers to investigate the Buyer Advisory during the inspection period.

### **FEDERAL NOTICE:**

The Long Realty family of companies is providing this notice. Long Realty has title, mortgage, and insurance affiliates that are committed to the highest quality of service. If you choose, however, you may limit the Long Realty companies from marketing their products or services to you based on your personal information that they receive from other Long Realty companies, such as your contact and transaction information. (Rest assured, we do not share your financial information with anyone.) Your choice to limit marketing offers from the Long Realty companies will apply until you tell us to change your choice.

To limit marketing offers, contact us at 520-918-3820.

# PROPERTY INSPECTION COMPANIES

A partial listing of property inspection companies has been listed below to assist you in selecting a professional inspector for your real estate purchase. Long Realty and its sales associates do not conduct property inspections and make no representations concerning the condition or feasibility of any property or the competency of any property inspector. We advise you to always examine the qualifications of the inspector you select. You may examine a property inspector's status with the Arizona Board of Technical Registration by calling 602-364-4930 or via [www.azbtr.gov](http://www.azbtr.gov).

ACCURATE INSPECTION SERVICES -----	749-0221
A CLOSER LOOK HOME INSPECTIONS -----	682-0598
AFFORDABLE HOME INSPECTION -----	298-5677
AMERISPEC HOME INSPECTION -----	682-0800
ARROW SERVICES HOME INSPECTION -----	419-8870
BEST-WAY INSPECTIONS -----	806-0000
BOB TORGERSON'S VIP PROPERTY INSPECTIONS -----	401-4628
BRICK BY BRYCK- GUIBOR INSPECTION -----	795-5300
CERTIFIED INSPECTION SERVICE -----	977-3444
DAL-TECH HOME INSPECTORS -----	743-3360
EXCEL HOME INSPECTIONS – TUCSON & GREEN VALLEY -----	861-4279
FIDELITY HOME INSPECTION -----	465-7677
HAYS HOME INSPECTION -----	465-4105
HOME ONE INSPECTIONS -----	749-6620
HOUSEMASTER HOME INSPECTIONS - TUCSON AND GREEN VALLEY -----	531-1440
INSIDE OUT HOME INSPECTIONS -----	721-9575
INSPECTION SPECIALIST -----	722-2700
KEY PROPERTY INSPECTION -----	229-1474
MICHAEL WILLIAMS HOME INSPECTIONS -----	324-0333
NATIONAL PROPERTY INSPECTIONS -----	647-7076
PILLAR TO POST HOME INSPECTION -----	299-2181
PRESIDIO HOME INSPECTIONS -----	591-5130
R.A. RINGWALT INSPECTION SERVICES (PREFERENCE: UPPER-END HOMES/COMMERCIAL WORK) -----	883-7814
RHINE INSPECTIONS -----	419-1424
SCOTT HOME INSPECTIONS -----	909-7018
SEAL OF APPROVAL -----	881-7325
SIERRA HOME INSPECTION -----	575-0734
SCOTT HOME INSPECTION -----	909-7018
SWIER AND ASSOCIATE HOME INSPECTION SERVICE -----	579-0709
TLC PROFESSIONAL INSPECTIONS -----	991-1717
THUNDER INSPECTION TEAM -----	883-0220
TOP NOTCH HOME INSPECTIONS -----	954-4263
20/20 REAL ESTATE REVIEW -----	760-2020

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## GREEN VALLEY / SAHUARITA COMPANIES

ACUSPECT HOME INSPECTIONS -----	237-8965
BILL'S HOME INSPECTIONS -----	625-2381
INTEGRI-SPECT HOME INSPECTIONS -----	648-1568



# Quick Guide to Helpful Phone Numbers for Pima County

## AREA CODE FOR SOUTHERN ARIZONA IS 520

### CABLE TV/INTERNET

Cox Communication	884-0133
Comcast Digital Cable	744-1900

### CITY/TOWN OF... MAIN #

Marana	382-1900
Oro Valley	229-4700
Sahuarita	648-1972
South Tucson	917-1562
Tucson	791-4911

### DRIVER'S LICENSES/REGISTRATION

Tucson Area	629-9808
Green Valley	625-9654

### ELECTRIC

Tucson Electric Power	623-7711
TRICO Cooperative	744-2944

### FIRE DEPARTMENTS (NON-URGENT)

Avra Valley	682-3255
City of Tucson	791-4512
Corona De Tucson	762-5007
Drexel Heights	883-4341
Golder Ranch	825-9001
Green Valley	625-9400
Northwest	887-1010
Oracle Volunteer	896-2357
Picture Rocks	682-7878
Rural Metro	297-3600
S. Tucson Merlin Mail	622-3309
Del Sol (GV)	625-3763

### GAS

Southwest Gas	877-860-6020
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### NEWSPAPERS

Arizona Daily Star	800-695-4492
Green Valley News	625-5511
Sahuarita Sun	625-5511
Tucson Citizen TucsonCitizen.com(online only)	

### PIMA COUNTY

All Departments	740-8011
Sheriff	351-4900

### POLICE DEPARTMENTS (NON-URGENT)

Green Valley	629-9200
Marana	382-2000
Oro Valley	229-4900
Sahuarita	648-7746
South Tucson	622-0655
Tucson	791-4444
Highway Patrol	746-4500

### POST OFFICE

Main Number	800-275-8777
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### PUBLIC TRANSPORT

Sun Tran Buses	792-9222
Van Tran	620-1234

### SANITATION/GARBAGE

City Solid Waste	791-3171
Pima County Sewer	740-6609
Saguaro Environmental	745-8820
Waste Mgmt. Tucson	744-2600

### SCHOOL DISTRICTS

Amphitheater	696-5000
Catalina Foothills	299-6446
Continental (GV)	625-4581
Flowing Wells	696-8800
Marana	682-3243
Sahuarita	625-3502
Sunnyside	545-2000
Tanque Verde	749-5751
TUSD	225-6000
Vail	879-2000

### TELEPHONE

Qwest	800-244-1111
Cox Communications	884-0133

### TAX ASSESSOR

Pima County	740-8630
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### WATER-TUCSON AREA

Avra Water Co-op	682-7331
City of Tucson	791-3242
Epcor Water	800-383-0834

### WATER-TUCSON AREA (CONTINUED...)

Flowing Wells Irrig.	887-4192
Lago Del Oro	825-3423
Las Quintas Serenas	625-8040
Lazy C Water Service	743-0758
Marana, Town of	382-2570
Metropolitan	575-8100
Mt. Lemmon Co-op	576-1538
Oro Valley Water Co.	229-5000
Ray Water Company	623-1332
Rincon Ranch Est.	298-0173
Sandario Water Co.	623-5172
Sahuarita Water Co.	399-1105
Vail Water	647-3679
Winterhaven	327-0111

### WATER-GREEN VALLEY

N of Continental	625-8409
N of Duval Mine	625-8040
S of Continental	625-9112
E of I-19, S of Cont	791-2852

### ZONING

City	740-6740
County	740-6950
Marana	382-2600
Oro Valley	229-4800

### OTHER FREQUENTLY CALLED #S

Better Business Bureau	888-5353
Chambers of Commerce:	
Green Valley	625-7575
Marana	682-4314
Tucson Metro	792-2250
Convention & Visitors Bureau	624-1817
	or 800-638-8350

### Parks & Recreation:

Tucson	791-4873
Pima County	877-6000
YMCA - Central	623-5511
YMCA - East	885-2317
YMCA - North	229-9001
Pima Community College	206-4500
Tucson Library	791-4010
Tucson Convention Center	791-4101
University of Arizona	621-2211

## **HOMEOWNERS ASSOCIATION DISCLOSURE UPON NOTICE OF UNIT RESALE**

The Buyer of a residential unit within a planned community (A.R.S. 913-1806) or condominium (A.R.S. 933-1260) with 50 or more units must receive in writing from the Association the following disclosure items: or, in projects of 49 or less units, the Seller must provide in writing copies of the following disclosure items:

1. The Bylaws of the Association.
2. The Rules of the Association.
3. The Declaration (including CC&Rs).
4. A copy of the most recent financial report of the Association, including a copy of the most recent reserve study, if any.
5. A copy of the current operating budget of the Association.

The Association must also provide a dated statement that contains the following information:

1. The telephone number and address of a principal contact for the Association. This can be an association manager or officer, management company, or any other person designated by the board of directors.
2. The amount of common regular assessment, unpaid common regular assessment, special assessment or other assessment, a fee or a charge currently due and payable from the selling number.
3. A statement as to whether a portion of the unit is covered by an insurance policy maintained by the Association.
4. A statement as to whether the Association has knowledge of any alterations or improvements made to the unit within the past six years that violate any provision of the declaration.
5. Case names and case numbers for pending litigation with respect to the unit which has been filed by the Association against the seller of the unit or filed by the seller of the unit against the Association.

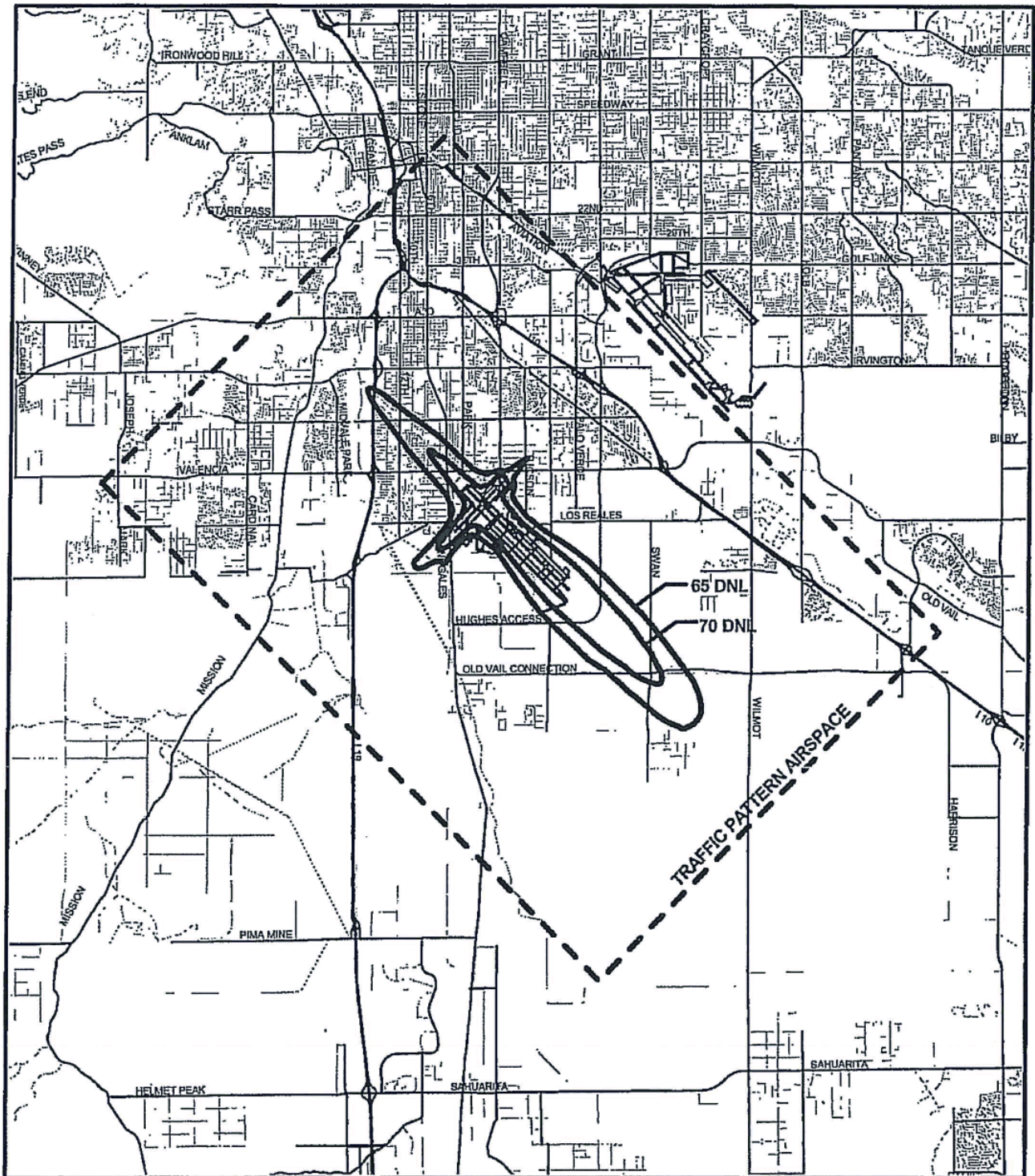
NOTE: The Buyer is allowed five (5) days after receipt of the information above to provide written notice to Seller of any items reasonably disapproved.

The Association may charge the selling member a reasonable fee to compensate the Association for the costs incurred in the preparation of this resale statement. The Association shall make available to any interested party the amount of this fee.

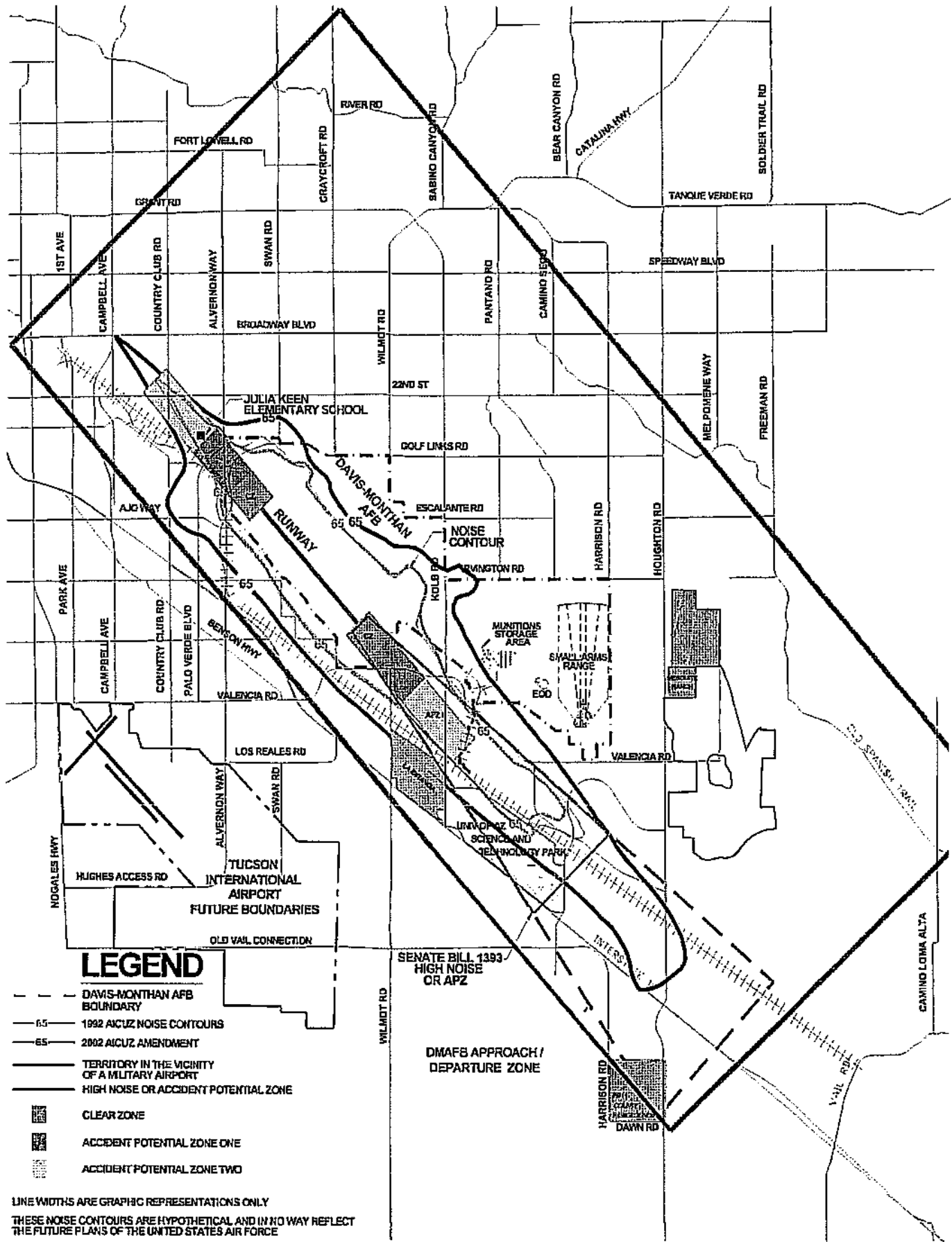
Any person damaged by the failure of the Association to disclose the information required by law may pursue any and all remedies at law or in equity against the Association.

**LONG REALTY COMPANY ADVISES BUYERS TO EXAMINE EACH ITEM LISTED ABOVE AND CONDUCT ANY FOLLOW UP INVESTIGATIONS DEEMED OF MATERIAL INTEREST.**

# Tucson International Airport Public Airport Disclosure Map



1/05

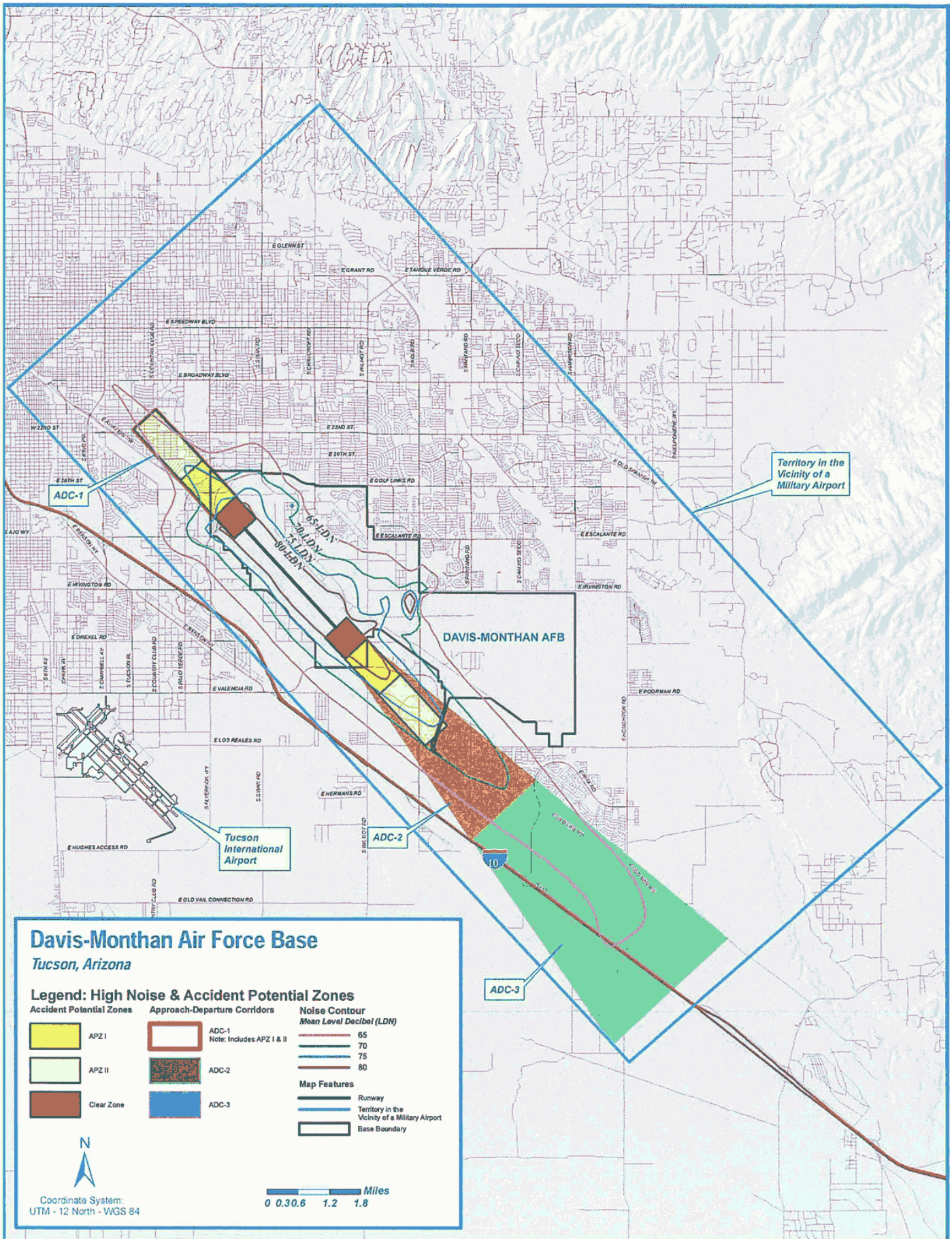


### LEGEND

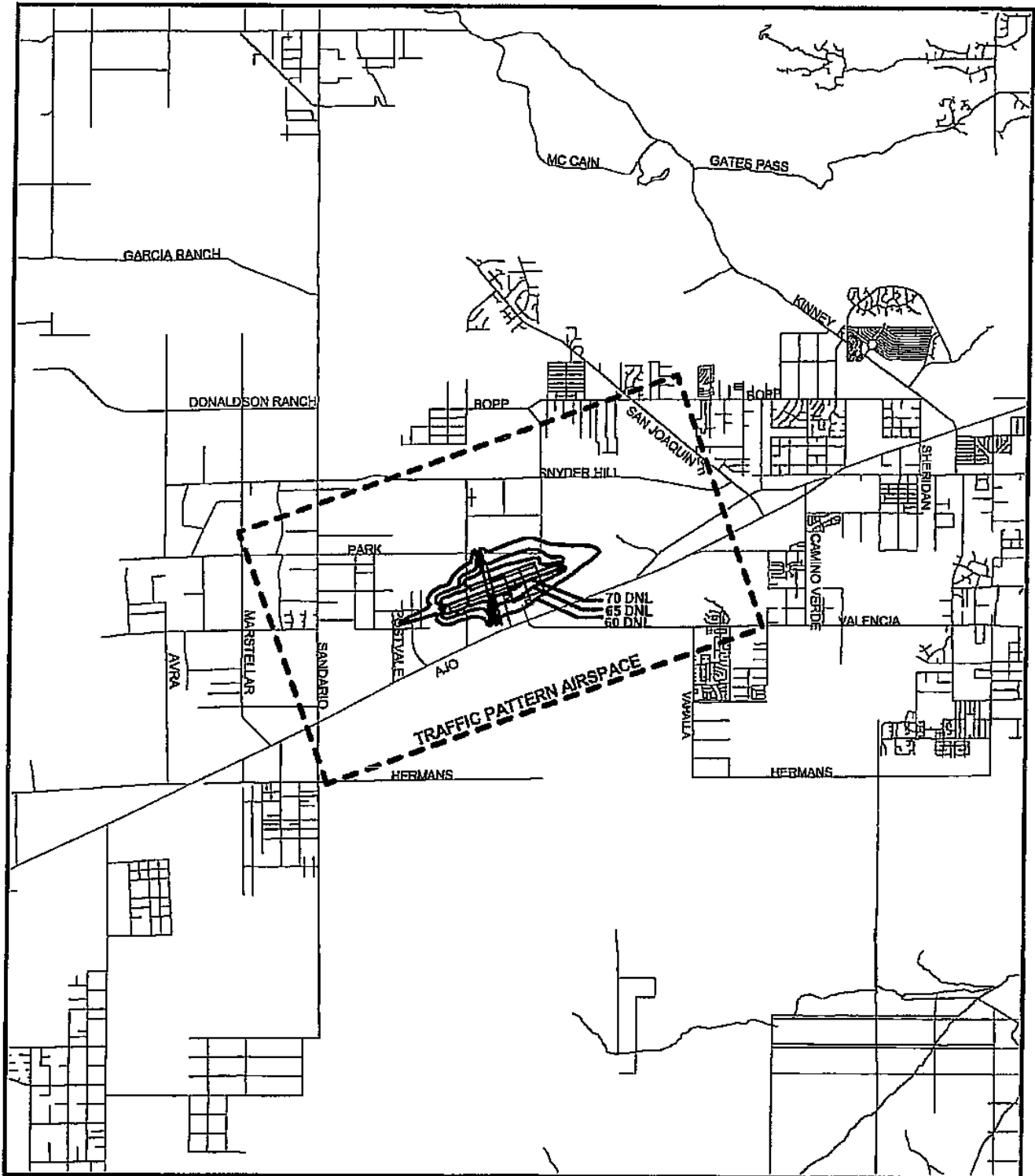
- DAVIS-MONTHAN AFB BOUNDARY
- 65 1992 AICUZ NOISE CONTOURS
- 65 2002 AICUZ AMENDMENT
- TERRITORY IN THE VICINITY OF A MILITARY AIRPORT
- HIGH NOISE OR ACCIDENT POTENTIAL ZONE
- CLEAR ZONE
- ACCIDENT POTENTIAL ZONE ONE
- ACCIDENT POTENTIAL ZONE TWO

LINE WIDTHS ARE GRAPHIC REPRESENTATIONS ONLY  
 THESE NOISE CONTOURS ARE HYPOTHETICAL AND IN NO WAY REFLECT  
 THE FUTURE PLANS OF THE UNITED STATES AIR FORCE

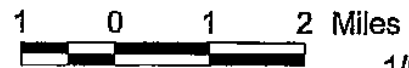




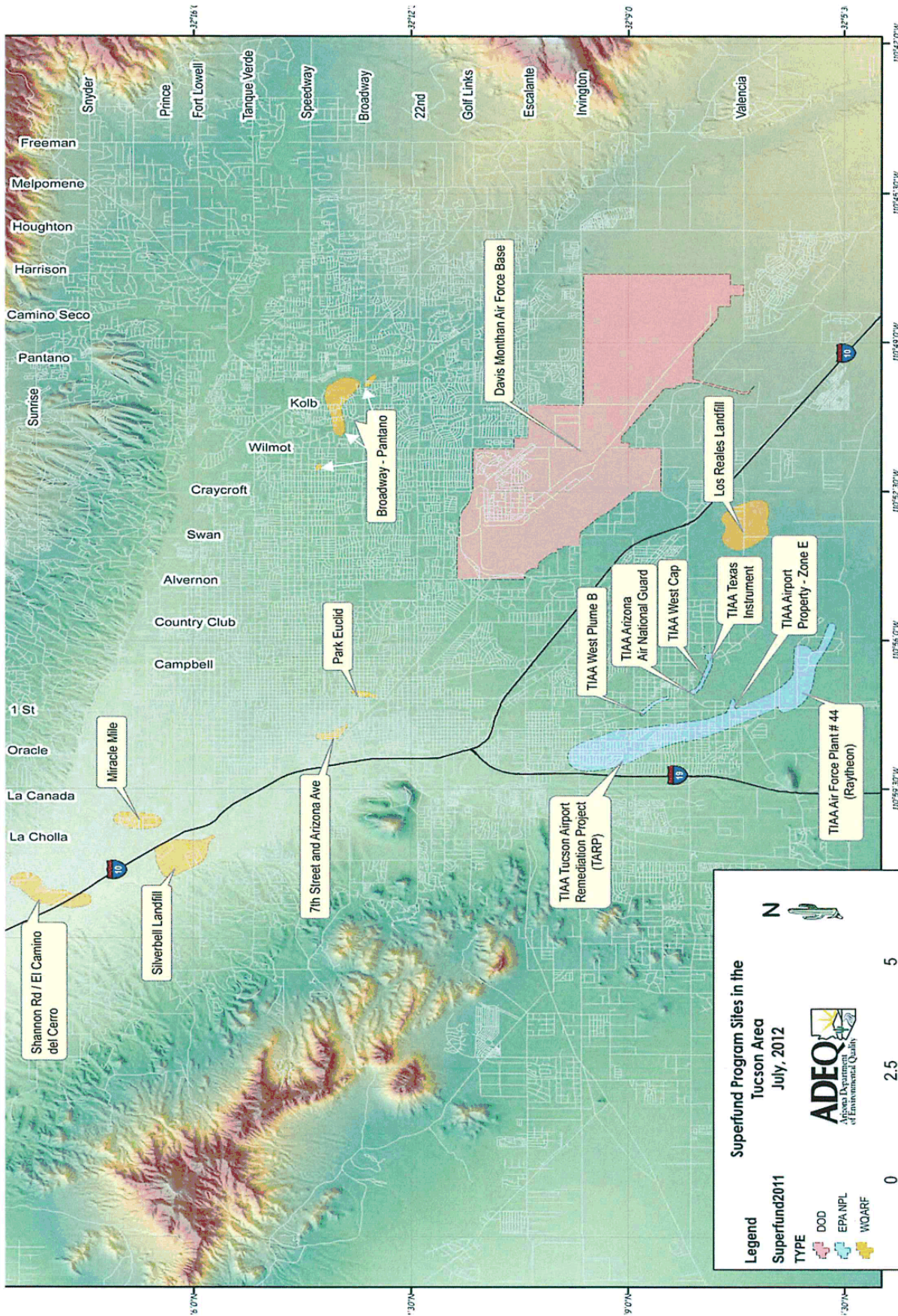
# Ryan Airfield Public Airport Disclosure Map



\*DNL = DAY / NIGHT AVERAGE SOUND LEVEL



1/05



**Superfund Program Sites in the Tucson Area**  
 July, 2012

**ADEQ**  
 Arizona Department of Environmental Quality

**Legend**

**Superfund2011**

**TYPE**

- DOD
- EPA/NPL
- WQARF

**Miles**

0 2.5 5

© 2012 ADEQ. Superfund2012.5/Special/Programs/outreachmaps2012/01Tucson11/2012.imxd  
 web name: tucson

Publication # M 12 - 77

Disclaimer Information:  
 This map is a **WORKING DOCUMENT**; it is designed for presentation and discussion and is subject to change and further refinement.

# PROVIDING the Services You Need



(520) 918-1641  
[LongMortgage.com](http://LongMortgage.com)

Long Mortgage is one of the top lenders in Southern Arizona and has a goal of providing exceptional service throughout the entire home buying experience. Long Mortgage is part of HomeServices Lending, a partnership between HomeServices of America and Wells Fargo Home Mortgage. Based in Minneapolis, Minn., HomeServices of America is the second largest full-service residential real estate brokerage firm and the largest brokerage-owned Core Services provider in the United States. <sup>1</sup>Our affiliation with Wells Fargo Home Mortgage, the nation's number one mortgage origination company - plus our full range of investor relationships - means we can provide hundreds of innovative loan products and a solid and responsible mortgage solution that you can be confident in! Long Mortgage even offers on-time closing<sup>2</sup> and a closing costs guarantee<sup>3</sup>.



(520) 918-4853  
[LongTitle.com](http://LongTitle.com)

Long Companies is committed to becoming Southern Arizona's single-source for all services and products needed to fulfill the dream of homeownership. Since the title examination process and acquisition of title insurance is an integral part of buying or selling a home, establishing an in-house title agency was a natural step in fulfilling that commitment, thus Long Title Agency was established in August 2000. Long Title Agency is dedicated to providing all Long Realty customers with as seamless a transaction as possible. We offer two national underwriters: Old Republic Title Insurance Group has been the highest rated Title Insurance Company in the nation for 16 straight years and has been in existence for 101 years with a rating of "A+" by Standard and Poor and Fitch. First American Title Insurance Company is a fortune-500 company, whose history dates back to 1889, with a rating of "A-" by Standard and Poor and Fitch. We are available to serve you at all points of your homeownership lifecycle, whether you are buying, selling, or re-financing your property.



(520) 918-6565  
[LongInsuranceGroup.com](http://LongInsuranceGroup.com)

Long Insurance Group is an Insurance Agency designed with you in mind. Specializing in Home and Auto insurance packages, our Insurance Agents listen to your concerns and put together Insurance packages that meet your specific needs. We represent leading national insurance carriers including Travelers Insurance, Met Life Auto & Home, SafeCo Insurance, Progressive and CHUBB Personal Insurance. Whether it's a policy protecting your dream home or automobiles, Long Insurance Group is here to help make sure you get the right coverage at the right price. Dedicated to providing prompt and courteous service, Long Insurance continuously offers the professionalism and one-on-one attention that you deserve. Take the guesswork out of shopping for insurance and let us take care of you!

<sup>1</sup>2007 Real Trends 500. All first mortgage products are offered and provided by HomeServices Lending, LLC Series A dba Long Mortgage Company. Long Mortgage Company may not be available in your area. ©2010 Long Mortgage Company. All rights reserved. An Equal Housing Lender.

<sup>2</sup>If your loan from Long Mortgage does not close on your new home by initial close date stated in your purchase contract due solely to Long Mortgage or Long Title delay, we will reimburse you one monthly principal and interest payment.

<sup>3</sup>Should your actual closing costs be OVER the amount quoted in the final Good Faith Estimate, we will credit you the difference at closing.



REALTY  
MORTGAGE  
TITLE &  
INSURANCE

PUT OVER 85 YEARS OF EXPERIENCE TO WORK FOR YOU

[LongRealty.com](http://LongRealty.com)

# A COMPARISON to taking title in Arizona

COMMUNITY PROPERTY	JOINT TENANCY	TENANCY IN COMMON	TENANCY IN PARTNERSHIP	TITLE HOLDING TRUST
<b>PARTIES</b> Only husband & wife.	<b>PARTIES</b> Any number of persons (can be husband & wife).	<b>PARTIES</b> Any number of persons (can be husband & wife).	<b>PARTIES</b> Only partners (any number).	<b>PARTIES</b> Individuals, groups of person, partnerships or corporations, a living trust.
<b>DIVISION</b> Ownership & managerial interests are equal except ownership of business is solely with managing spouse.	<b>DIVISION</b> Ownership interests must be equal.	<b>DIVISION</b> Ownership can be divided into any number of interests equal or unequal.	<b>DIVISION</b> Ownership interest is in relation to interest in partnership.	<b>DIVISION</b> Ownership is a personal property interest & can be divided into any number of interests.
<b>TITLE</b> Title is in the "community." Each interest is separate but management is unified.	<b>TITLE</b> Sale by joint tenant severs joint tenancy.	<b>TITLE</b> Each co-owner has a separate legal title to his/her undivided interest.	<b>TITLE</b> Title is in the "partnership."	<b>TITLE</b> Legal and equitable title is held by the trustee.
<b>POSSESSION</b> Both co-owners have equal management and control.	<b>POSSESSION</b> Equal right of possession.	<b>POSSESSION</b> Equal right of possession.	<b>POSSESSION</b> Equal right of possession, but only for partnership purposes.	<b>POSSESSION</b> Right of possession as specified in the trust provisions.
<b>CONVEYANCE</b> Personal property (except "necessaries") may be conveyed for valuable consideration without consent of other spouse; real property requires written consent of other spouse, & separate interest cannot be conveyed except upon death.	<b>CONVEYANCE</b> Conveyance by one co-owner without the others breaks the joint tenancy.	<b>CONVEYANCE</b> Each co-owner's interest may be conveyed separately by its owner.	<b>CONVEYANCE</b> Any authorized partner may convey whole partnership property for partnership purposes.	<b>CONVEYANCE</b> Designated parties within the trust agreement authorize the trustee to convey property. Also, a beneficiary's interest in the trust may be transferred.
<b>PURCHASER'S STATUS</b> Purchaser can only acquire whole title of community; cannot acquire a part of it.	<b>PURCHASER'S STATUS</b> Purchaser will become a tenant in common with the other co-owners in the property.	<b>PURCHASER'S STATUS</b> Purchaser will become a tenant in common with the other co-owners in the property.	<b>PURCHASER'S STATUS</b> Purchaser can only acquire the whole title.	<b>PURCHASER'S STATUS</b> A purchaser may obtain a beneficiaries interest by assignment or may obtain legal & equitable trust from the trust.
<b>DEATH</b> On co-owner's death, 1/2 belong to survivor in severalty. 1/2 goes by will to descendants devisee or by succession to survivor.	<b>DEATH</b> On co-owner's death his/her interest ends & cannot be disposed of by will. Survivor owns the property by survivorship.	<b>DEATH</b> On co-owner's death his/her interest passes by will to devisee or heirs. No survivorship rights.	<b>DEATH</b> On partner's death his/her interest passes to the surviving partner pending liquidation of the partnership. Share of deceased partner then goes to his/her estate.	<b>DEATH</b> Successor beneficiaries may be named in the trust agreement, eliminating the need for probate.
<b>SUCCESSOR'S STATUS</b> If passing by will, tenancy in common between devisee & survivor results.	<b>SUCCESSOR'S STATUS</b> Last survivor owns property.	<b>SUCCESSOR'S STATUS</b> Devisee or heirs become tenants in common.	<b>SUCCESSOR'S STATUS</b> Heirs or devisee have rights in partnership interest but not specific property.	<b>SUCCESSOR'S STATUS</b> Defined by the trust agreement, generally the successor becomes the beneficiary & the trust continues.
<b>CREDITOR'S RIGHTS</b> If passing by will, tenancy in common between devisee & survivor results.	<b>CREDITOR'S RIGHTS</b> Co-owner's interest may be sold on executive sale to satisfy creditor. Joint tenancy is broken. Creditor becomes a tenant in common.	<b>CREDITOR'S RIGHTS</b> Co-owner's interest may be sold on executive sale to satisfy his/her creditor. Creditor becomes a tenant in common.	<b>CREDITOR'S RIGHTS</b> Partner's interest cannot be seized or sold separately by his/her personal creditor but his/her share of profits may be obtained by a personal creditor. Whole property may be sold on execution sale to satisfy partnership creditor.	<b>CREDITOR'S RIGHTS</b> Creditor may seek an order for execution sale of the beneficial interest, or may seek an order that the trust estate be liquidated & the proceeds distributed.
<b>PRESUMPTION</b> Strong presumption that property acquired by husband & wife is community.	<b>PRESUMPTION</b> Must be expressly stated.	<b>PRESUMPTION</b> Favored in doubtful cases except husband & wife case.	<b>PRESUMPTION</b> Arise only by virtue of partnership status in property placed in partnership.	<b>PRESUMPTION</b> A trust is expressly created by an executed trust agreement.



PUT 80 YEARS OF EXPERIENCE TO WORK FOR YOU

LongTitle.com

# COMMON WAYS *to take title in Arizona*

## ARIZONA IS A COMMUNITY PROPERTY STATE.

### THERE IS A STATUTORY PRESUMPTION THAT ALL PROPERTY ACQUIRED BY HUSBAND AND WIFE IS COMMUNITY PROPERTY.

**COMMUNITY PROPERTY:** Community property is a method of co-ownership for married persons only. Upon the death of one of the spouses, the deceased spouse's interest will pass by either a will or intestate succession.

**COMMUNITY PROPERTY WITH RIGHT OF SURVIVORSHIP:** A community property with right of survivorship estate can be held by a husband and wife when created by express language in the vesting document. Upon the death of a spouse, the estate is vested in the surviving spouse and an Affidavit Terminating Right of Survivorship, together with a certified copy of the death certificate is recorded.

**CORPORATION:** Title may be taken in the name of a corporation provided that the corporation is duly formed and in good standing in the state of its incorporation.

**GENERAL PARTNERSHIP:** Title may be taken in the name of a corporation provided that the corporation is duly formed and in good standing in the state of its incorporation.

**JOINT TENANCY WITH RIGHT OF SURVIVORSHIP:** Joint tenancy is a method of co-ownership that gives title to the real property to the last survivor. Title to real property can be acquired by two or more individuals. If a married couple acquires title as joint tenants with right of survivorship, they must specifically accept the joint tenancy to avoid the presumption of community property.

**LIMITED LIABILITY COMPANY:** A limited company formed by two or more persons under the law of Arizona or another state. A limited liability company operates similar to a partnership with protection which is similar to a corporation. An Arizona limited liability company must be filed with the State of Arizona.

**LIMITED PARTNERSHIP:** A partnership formed by two or more persons under the laws of Arizona or another state and having one or more limited partners. A certificate of limited partnership must be filed in the office of the Secretary of State.

**SOLE AND SEPARATE:** Real property owned by a spouse before marriage or any acquired after marriage by gift, devise, descent, or specific intent. If a married person acquires title as sole and separate property, his or her spouse must execute a disclaimer deed.

**TENANCY IN COMMON:** A method of co-ownership when parties do not have survivorship rights and each owns a specific undivided interest in the entire title. Each co-owner has a separate title to his/her interest, and can transfer his/her interest without the other co-owners.

*This document is intended for information purposes only. Each particular method of taking title has certain legal and tax consequences, thus you are encouraged to obtain advice from your Attorney and/or Certified Public Accountant to determine which way is best for you.*



PUT 80 YEARS OF EXPERIENCE TO WORK FOR YOU

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# Title Security Agency of Arizona

## In compliance with A.R.S. Section 6-843, "Good Funds" Law

The law requires that an escrow agent not disburse money from an escrow account until funds related to the transaction have been deposited and are made available through the escrow depository account. **This means that the escrow agent is restricted from disbursing on certain types of deposits until such time as the statutory waiting period has expired or escrow receives notice from its depository bank that the item has cleared and the funds are available in the escrow account.**

Please be advised that in order to prevent delays in the recordation and disbursement of all real estate transactions, the following criteria applies for each respective deposit item:

Type or deposit	When funds become available to fund/disburse	Timeline for recording and disbursing funds. (Example: Deposits made on Monday)
Electronic bank wire or transfer; Cashier's, Certified and Teller's Checks	Available <b>same day</b> as the bank deposit	Monday (Same Business Day)*
Postal Money Orders U.S. Treasury Checks State and Local Government Checks	Funds will become available on the first business day after we deposit your check into our bank account	Tuesday (First Business Day)*
Local Checks** first two digits of routing numbers: "12" or "32"	Funds will become available no later than the second business day after the day we deposit your check into our bank account	Wednesday (Second Business Day)*
Non Local Checks	Funds will become available after they have been sent for collection through our bank	Following Monday (Fifth Business Day from deposit)
On-us Checks***	Funds will become available on the first business day after we deposit your check into our bank account	Tuesday (First Business Day)*

**\*Business Day:** Funds are potentially available on the \*Business Day indicated above. A business day is defined as a calendar day other than Saturday or Sunday, and is excluding major holidays. If January 1, July 4, November 11 or December 25 fall on a Sunday, the next Monday is excluded from the definition of a business day. Note that individual banks may require additional "hold" periods longer than shown above.

**\*\*Local Checks:** A check is considered "local" when it is drawn against a bank located in the same processing region as our depository bank. In Arizona, any ABA number beginning with "12" (i.e. 1210, 1211, etc.) or "32" (i.e., 3221, 3222, etc.) is in our processing region.

**\*\*\*On-us Checks (Title Security Agency):** Next day availability is dependent on the check being drawn against the same bank or branch as our depository bank and in the same check-processing region, meaning the ABA numbers must begin with "12" or "32". Same Day Disbursement availability will be dependent upon county and escrow administration or legal department discretion.

**Cash:** For security reasons Title Security Agency does not accept cash at any location.

**Foreign Checks:** Title Security Agency does not accept foreign checks.

**Thank you for doing business with Title Security Agency. Please feel free to call a Title Security Agency escrow officer or sales representative if you have any questions. Main office telephone no. 520-885-1600**



## BENEFITS FOR THE HOME BUYER

When you buy a new home, you're making a major investment in your family and your future. A home protection plan can give you the reassurance of knowing you're helping to safeguard that investment.

What is a home protection plan? A home protection plan is a service contract that covers the repair or replacement of many of the most frequently occurring breakdowns of home system components and appliances. It puts you in control of your budget with an economical way to help protect against otherwise potentially costly situations.

There are many reasons for you, as a home buyer, to include an American Home Shield® Home Protection Plan in your contract:

- Relief from some of the expenses of unexpected breakdowns on covered items
- Affordable, flexible and customizable plans
- Access to a network of service contractors
- Increased confidence in your home purchase

We are proud to serve over one million homeowners just like you.

**Ask your Real Estate Professional to include an American Home Shield Home Protection Plan in your contract!**

**Call 1 800 735 4663 or visit [ahshome.com](http://ahshome.com)**





# EXPERIENCE THE JOYS OF HOMEOWNERSHIP



2-10 Home Buyers Warranty has been in the home ownership business for more than 30 years, helping new home buyers safeguard their largest investment, their homes.

As home systems and appliances have grown more sophisticated, the cost of repairing them has grown as well. Get protection from unexpected repairs with 2-10 Home Buyers Warranty.

Coverage includes the repair or replacement of a home's systems and appliances that are not covered by most homeowner's insurance policies.\*



## BUYER BENEFITS:

- ▶ Protect your biggest investment
- ▶ No negotiating with contractors
- ▶ Easily place claims online
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“Just one call and no claim forms to fill out? I love my 2-10 HBW home warranty!”

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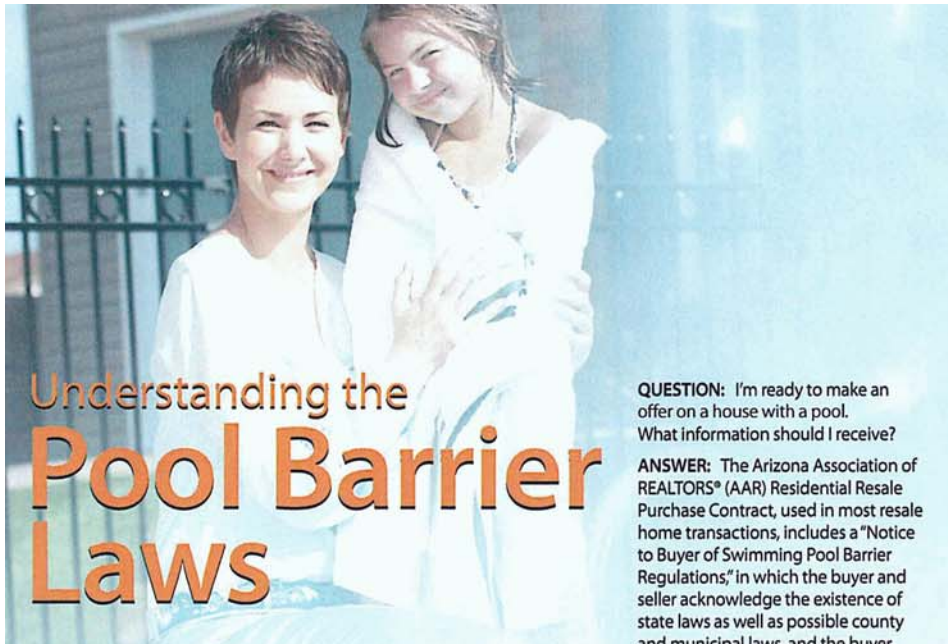
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\*See Terms & Conditions for exact coverage and limitations.

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Arizona residents: Home Buyers Resale Warranty Corporation d/b/a 2-10 Home Buyers Warranty. All terms and conditions are subject to change.

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# Understanding the Pool Barrier Laws

**Because of the number of drownings and near-drownings in Arizona, most of which involve small children, the State of Arizona and most counties and cities within the state have enacted swimming pool barrier laws. Generally, these laws require that all affected swimming pools (or certain other contained bodies of water) be protected by an enclosure surrounding the pool area, or by another barrier, that meets specific requirements.**

In general, pool barrier laws require that a swimming pool be completely enclosed by a fence to restrict access to the swimming pool from adjoining property. These pool barrier laws also generally require that certain barriers be installed to restrict easy access from the home to the swimming pool. Therefore, pool barrier laws contain specific requirements regarding the height and type of fences, gates and doors from the home leading directly to the swimming pool and regarding windows that face the swimming pool.

The Arizona Association of REALTORS® has developed this brochure to assist you in obtaining the information to determine which pool barrier law applies to your property and the specific requirements of the applicable law. You should obtain and read the entire current applicable pool barrier law prior to purchasing a home with an existing pool; prior to erecting pool barriers; prior to altering, repairing or replacing pool barriers; or prior to building a pool.

To the right are answers to some commonly asked questions regarding swimming pool barrier laws.

**QUESTION:** I'm ready to make an offer on a house with a pool. What information should I receive?

**ANSWER:** The Arizona Association of REALTORS® (AAR) Residential Resale Purchase Contract, used in most resale home transactions, includes a "Notice to Buyer of Swimming Pool Barrier Regulations," in which the buyer and seller acknowledge the existence of state laws as well as possible county and municipal laws, and the buyer agrees to investigate and comply with these laws. The seller is required by law to give the buyer a copy of the pool safety notice from the Arizona Department of Health Services. The contract also requires the buyer be given a Seller's Property Disclosure Statement, which discloses any known code violations on the property.

**QUESTION:** The house I want to buy has a fence around the pool, but it doesn't meet code. Who is responsible for bringing it up to code and how long do we have?

**ANSWER:** The AAR Purchase Contract states: "During the Inspection Period, Buyer agrees to investigate all applicable state, county, and municipal swimming pool barrier regulations and, unless reasonably disapproved within the Inspection Period, agrees to comply with and pay all costs of compliance with said regulations prior to possession of the Premises." Check city and county ordinances for their specific requirements.

**QUESTION:** We have an above-ground pool in our backyard, so we don't have to worry about pool barrier laws, do we?

**ANSWER:** Above-ground pools are covered by the same state legal requirements for an enclosure around the pool. The pool must be at least four feet high with a wall that is not climbable and steps or ladders that are locking or removable. Again, check city or county ordinances for different requirements.

Below is local area contact information for governmental departments in Arizona with information on swimming pool barrier law requirements affecting your property. If your area isn't listed, contact your local governmental offices to find out if a swimming pool barrier law has been enacted; if not, current state laws are in effect.

## FOR MORE INFORMATION, CONTACT:

<b>APACHE JUNCTION</b> Development Services Dept: (480) 671-5156
<b>ARIZONA STATE LAW, A.R.S. §36-1681</b> Arizona Maricopa County Law Library: (602) 506-3461
<b>AVONDALE</b> Building Safety: (623) 333-4000
<b>BULLHEAD CITY</b> Community Development Dept: (928) 763-0124
<b>CAREFREE</b> Building Department: (480) 488-3686
<b>CASA GRANDE</b> Building Department: (520) 421-8651
<b>CAVE CREEK</b> Building Department: (480) 488-1414
<b>CHANDLER</b> Development Services: (480) 782-3000
<b>COCONINO COUNTY</b> Community Development: (928) 679-8850
<b>COCHISE COUNTY</b> Planning and Zoning: (520) 432-9240
<b>FLAGSTAFF</b> Building Division: (928) 779-7631
<b>FOUNTAIN HILLS</b> Building Safety: (480) 816-5177
<b>GILBERT</b> Building Department: (480) 503-6700
<b>GLENDALE</b> Development Services: (623) 930-2800
<b>GOODYEAR</b> Building Safety: (623) 932-3004
<b>KINGMAN</b> Development Services Dept: (928) 753-8123
<b>LAKE HAVASU</b> Development Services Dept: (928) 453-4149
<b>LITCHFIELD PARK</b> Building Safety: (623) 935-1066
<b>MARANA</b> Building Services Dept: (520) 382-2600
<b>MARICOPA COUNTY</b> Planning Department: (602) 506-3201
<b>MESA</b> Office of City Clerk: (480) 644-4273
<b>ORO VALLEY</b> Building Safety: (520) 229-4830
<b>PARADISE VALLEY</b> Town of Paradise Valley: (480) 348-3692
<b>PEORIA</b> Building Safety Division: (623) 773-7225
<b>PHOENIX</b> Development Services Dept: (602) 262-7811
<b>PIMA COUNTY</b> Building Codes: (520) 740-6490
<b>PINAL COUNTY</b> Building Safety Department: (520) 866-6405
<b>SANTA CRUZ COUNTY</b> Zoning and Development: (520) 375-7930
<b>SCOTTSDALE</b> Planning & Development: (480) 312-2500
<b>SURPRISE</b> Building Safety: (623) 583-1088
<b>TEMPE</b> Building Safety Dept: (480) 350-8341
<b>TOLLESON</b> Building Inspector: (623) 936-7111
<b>YAVAPAI COUNTY</b> Development Services: (928) 771-3214
<b>YUMA</b> Development Services: (928) 817-5000

Phone numbers are subject to change without notice.



Arizona Association of REALTORS®  
255 E. Osborn Road, Ste. 200 • Phoenix, AZ 85012  
(602) 248-7787 • [www.aaronline.com](http://www.aaronline.com)

## Arizona Department of Health Services /Office of Environmental Health

### Residential Pool Safety Notice

The purpose of this notice is to educate residential pool\* owners on the legal requirements of pool ownership and proper pool safety. Each year in Arizona, too many young children are victims of drowning or near drowning. The Arizona State Legislature recognized this threat to the health and safety of children and passed A.R.S. § 36-1681 to prevent children from gaining unsupervised access to residential swimming pools. In A.R.S. § 36-1681(E), the Legislature requires that all pool owners receive the legal requirements of pool ownership and a safety notice explaining the Arizona Department of Health Services' recommendations on pool safety.

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#### Pool Enclosure Requirements

At a residence with a swimming pool where one or more children under six years of age live in the residence:

A.R.S. § 36-1681 requires that a swimming pool be protected by an enclosure (wall, fence, or barrier) that surrounds the pool area. Unless a local code provides otherwise, the enclosure of a belowground or aboveground pool must:

- Entirely enclose the pool area;
- Be at least 5 feet high;
- Have no openings other than doors or gates, through which an object 4 inches in diameter can pass;
- Have no openings, handholds, or footholds accessible from the exterior side that can be used to climb the barrier; and
- Be at least 20 inches from the water's edge.

If, however, a residence or living area makes up part of the enclosure required by A.R.S. § 36-1681(B), there must be:

- A wall, fence, or barrier located between the swimming pool or other contained body of water and the residence or living area that:
  - Has a height of at least four feet;
  - Has no openings through which a spherical object four inches in diameter can pass;
  - Has a gate that opens outward from the pool and is self-closing and self-latching;
  - Has no openings, handholds, or footholds accessible from the exterior side of the enclosure that can be used to climb the wall, fence, or barrier; and
  - Is at a distance of at least twenty inches from the water's edge;
- A motorized safety pool cover that requires a key switch and meets the American Society of Testing and Materials (ASTM) standards in F1346-91 ([www.astm.org](http://www.astm.org));
- For each door or window in the residence or living area that has direct access to the pool:
  - A self-latching device that is located not less than fifty-four inches above the floor; and
  - Either a screwed in wire mesh screen covering a dwelling or guest room window or a keyed lock that prevents a dwelling or guest room window from opening more than four inches; or

- For an aboveground swimming pool, non-climbable exterior sides which are a minimum height of four feet and access ladders or steps that are removable and able to be secured when the pool is not in use.

### Gate Requirements

According to A.R.S. § 36-1681(B)(3), any gate in either the five-foot-tall wall, fence, or barrier enclosing a pool or the four-foot-tall wall, fence, or barrier between the residence or other living area and a pool must:

- Open outward from the pool;
- Be self-closing and self-latching; and
- Have a latch:
  - Located at least fifty-four inches above the underlying ground;
  - Located on the pool side of the gate with the latch's release mechanism located at least five inches below the top of the gate and no opening greater than one-half inch with twenty-four inches of the release mechanism; or
  - Located at any height if secured by a padlock or similar device which requires a key, electric opening, or integral combination.

### Arizona Department of Health Services Pool Safety Recommendations

- Never leave a child unattended in the pool or pool area.
- Because flotation devices and swimming lessons are not substitutes for supervision, a child should always be watched when in or around the pool area.
- CPR/CCR instructions and the 911 emergency number (or local emergency number) should be posted in the pool area.
- A phone should be located in the pool area or easily accessible in case of an emergency.
- All residential pool owners should attend water rescue and CPR/CCR classes. Lifesaving equipment should be easily accessible and stored in the pool area.
- All gate locks and latches should be checked regularly to insure they are working properly.
- A gate should never be left propped open.
- All items that could be used to climb a pool barrier should be removed from around the barrier.
- In an emergency:
  - Shout for help;
  - Pull the child from the water;
  - Call 911 (or local emergency number) for help; and
  - After checking the child's airway and breathing, immediately begin CPR/CCR if necessary.

**Note:** The state requirements contained in A.R.S. § 36-1681 may be superseded by local requirements that are equal to or more restrictive than the state requirements. Check with your local city and county governments to see if they have adopted different pool barrier requirements.

\* "Pool" means an in-ground or aboveground swimming pool or other contained body of water 18 or more inches in depth, wider than 8 feet at any point, and intended for swimming, pursuant to A.R.S. § 36-1681(A).