

When Recorded Mail To:

Creative Investment Solutions, LP  
10000 N 31<sup>st</sup> Ave C-302  
Phoenix, AZ 85051

A.P.N.: 210-19-006  
File No.: 001014-AZ004-07

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THIS SPACE FOR RECORDER'S USE ONLY

**AFFIDAVIT OF DISCLOSURE**  
**PURSUANT TO A.R.S. §33-422**

I, Creative Investment Solutions, LP, (seller) being duly sworn, hereby make this Affidavit of Disclosure relating to the real property situated in the unincorporated area of Apache County, State of Arizona and legally described as:

(Legal Description attached hereto as Exhibit "A")

("Property").

1. There  is  is not... legal access to the Property, as defined in A.R.S. § 11-809.  Unknown.

Explain: \_\_\_\_\_  
\_\_\_\_\_

2. There  is  is not... physical access to the Property.  Unknown.

Explain: \_\_\_\_\_  
\_\_\_\_\_

3. There  is  is not... a statement from a licensed surveyor or engineer available stating whether the Property has physical access that is traversable by a two-wheel drive passenger motor vehicle.

4. The legal and physical access to the Property  is  is not... the same.  Unknown  Not applicable.

Explain: \_\_\_\_\_  
\_\_\_\_\_

*If access to the parcel is not traversable by emergency vehicles, the county and emergency service providers may not be held liable for any damages resulting from the inability to traverse the access to provide needed services.*

5. The road(s) is/are  publicly maintained  privately maintained  not maintained  not applicable.  Unknown. If applicable, there  is  is not... a recorded road maintenance agreement.

*If the roads are not publicly maintained, it is the responsibility of the property owner(s) to maintain the roads and roads that are not improved to county standards and accepted for maintenance are not the county's responsibility.*

6. A portion or all of the Property  is  is not located in a FEMA designated regulatory floodplain. If the Property is in a floodplain, it may be subject to floodplain regulation.  Unknown.

7. The Property  is  is not... subject to  Fissures or  Expansive Soils.  Unknown.

Explain: \_\_\_\_\_

8. The following services are currently provided to the Property:  water  sewer  electric  natural gas  single party telephone  cable television services.  Unknown

9. The Property  is  is not... served by a water supply that requires the transportation of water to the Property.  Unknown.

10. The Property is served by  a private water company  a municipal water provider  a private well  a shared well  no well.  Unknown. If served by a shared well, the shared well  is  is not... a public water system, as defined by the Safe Drinking Water Act (42 United States Code § 300f).  Unknown.

**Notice to buyer: if the property is served by a well, private water company or a municipal water provider the Arizona Department of Water Resources may not have made a water supply determination. For more information about water supply, contact the water provider.**

11. The Property  does have  does not have... an on-site wastewater treatment facility (i.e., standard septic or alternative system to treat and dispose of wastewater).  Unknown. If applicable: a) the Property  will  will not... require installation of an on-site wastewater treatment facility; b) The on-site wastewater treatment facility  has  has not... been inspected.

12. The Property  has been  has not been... subject to a percolation test.  Unknown.

13. The Property  does  does not... meet the minimum applicable county zoning requirements of the applicable zoning designation.  Unknown.

14. The sale of the Property  does  does not... meet the requirements of A.R.S. § 11-809 regarding land divisions. **If those requirements are not met, the property owner may not be able to obtain a building permit. The seller or property owner shall disclose each of the deficiencies to the buyer.**

Explain: \_\_\_\_\_

15. The Property  is  is not... located in the clear zone of a military airport or ancillary military facility, as defined in A.R.S. § 28-8461.  Unknown. (Maps are available at the State Real Estate Department's Website)

16. The Property  is  is not... located in the high noise or accident potential zone of a military airport of ancillary military facility, as defined in A.R.S. § 28-8461.  Unknown. (Maps are available at the State Real Estate Department's Website)

17. Notice: If the Property is located within the territory in the vicinity of a military airport or ancillary military facility the Property is required to comply with sound attenuation standards as prescribed by A.R.S. § 28-8461 (Maps are available at the State Real Estate Department's Website)

18. The Property  is  is not... located under military restricted airspace.  Unknown. (Maps are available at the State Real Estate Department's Website)

This Affidavit of Disclosure supersedes any previously recorded Affidavit of Disclosure.

I certify under penalty of perjury that the information contained in this affidavit is true, complete and correct according to my best belief and knowledge.

Dated 6/25/07 by:


Seller's name: Creative Investment Solutions, LP

*Pierre E. Elie*  
By: Pierre E. Elie, Designated Broker/Manager  
Orbit Investments, LLC as Manager of Creative Investment Solutions, LP

STATE OF ARIZONA                 )  
  )ss.  
COUNTY OF MARICOPA         )

Subscribed and sworn before me on this 6/25/07 by:  
Pierre E. Elie, Designated Broker/Manager

*Christine M. McLaurin*  
Notary Public Signature  
My commission expires: 12.31.08

 CHRISTINE M. MCLAURIN  
Notary Public - Arizona  
Maricopa County  
Expires 12/31/08

(SEAL)

Buyer(s) hereby acknowledges receipt of a copy of this affidavit of disclosure this [redacted] day of [redacted], 20[redacted]

Buyer's name (print): \_\_\_\_\_ Signature: \_\_\_\_\_

Buyer's name (print): \_\_\_\_\_ Signature: \_\_\_\_\_

## **EXHIBIT "A"**

### **Legal Description:**

Beginning 2690' West of the Northeast Corner of Section 31, Township 20 North, Range 26 East. South 3850' to Railroad Right of Way; Southwesterly 461.5'; North 4054.9'; East 416' TO POB

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