Sellers are obligated by law to disclose all known material (important) facts about the property to the buyer. Arizona law requires that you disclose material facts about the property whether or not you are asked by the buyer or a real estate agent, or when asked to complete a disclosure form. There are also some very specific seller disclosures that you are required by statute to make. Additionally, you may be required to complete and record an Affidavit of Disclosure if selling property in an unincorporated area of a county.

If the buyer asks you about an aspect of the property, you have a duty to disclose the information, regardless of whether or not you consider the information material. You also have a legal duty to disclose facts when disclosure is necessary to prevent a previous statement from being misleading or a misrepresentation: for example, if something changes. However, a seller does not generally have a legal obligation to correct defects in the property, as long as the defects are disclosed. Any correction of the defects is a matter of contract negotiation between you and the buyer.

If you do not make the legally required disclosures, you may be subject to civil liability. Under certain circumstances, nondisclosure of a fact is the same as saying that the fact does not exist. Therefore, nondisclosure may be given the same legal effect as fraud.

The Arizona Association of REALTORS® Vacant Land/Lot Seller's Property Disclosure Statement ("SPDS") is designed to assist you in making these legally required disclosures and to avoid inadvertent nondisclosures of material facts.

You should complete the SPDS by answering all questions as truthfully and as fully as possible. Attach copies of any available supporting documentation to insure that you are disclosing accurate information. Also, use the blank lines to explain your answers. If you do not have the personal knowledge to answer a question, it is important not to guess - use the blank lines to explain the situation.

The SPDS is divided into nine general sections:

1) Ownership and Property: This section asks for general information about the property, such as location and ownership, associations, assessments, title issues etc. Any seller should be able to answer most, if not all, of the questions in this section. If you have never seen the Property and you are unable to answer some of the questions, explain on Page 5 under ADDITIONAL EXPLANATIONS.

2) Access: Both legal and physical access is addressed.

3) Use: This section asks for information regarding the current and past use of the property.

4) Utilities: You are asked whether the property currently receives the listed utilities, and if so, to identify the provider.

5) Water: The water source and any known information about drinking water are addressed. Additionally, the section asks for information on any irrigation rights or other water-related issues pertaining to the property.

6) Sewer/Waste Water Treatment: There are many questions dealing with the topic of sewer or wastewater treatment as a result of claims involving alleged misrepresentations concerning the availability of a sewer connection. If the property is served by an on-site wastewater treatment facility, e.g., a septic or alternative wastewater system, a variety of additional information is required.

7) Environmental Information: In addition to questions regarding environmental hazards, you are asked to disclose any issues relating to soil settlement/expansion, drainage/grade, erosion, and noise from the surrounding area including airport and traffic noise, and any odors or other nuisances.

8) Miscellaneous: This section deals with surveys, archeological features, endangered species, mineral rights, and mine shafts/tunnels or abandoned wells associated with the property.

9) Additional Explanations: These blank lines provide space for you to disclose any other important information concerning the property that might affect the buyer's decision-making process, the value of the property or its use, and to make any other necessary explanations.

Please note: By law, sellers are not obligated to disclose that the property is or has been: (1) the site of a natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed to HIV, or diagnosed as having AIDS or any other disease not known to be transmitted through common occupancy of real estate; or (3) located in the vicinity of a sex offender. However, the law does not protect a seller who makes an intentional misrepresentation. For example, if you are asked whether there has been a death on the property and you know that there was such a death, you should not answer "no" or "I don't know"; you should either answer truthfully or respond that you are not legally required to answer the question.
**MESSAGE TO THE SELLER:**

Sellers are obligated by law to disclose all known material (important) facts about the Property to the Buyer. The SPDS is designed to assist you in making these disclosures. If you know something important about the Property that is not addressed on the SPDS, add that information to the form. Prospective Buyers may rely on the information you provide.

**INSTRUCTIONS:**
(1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a question, use the blank lines to explain. By signing below you acknowledge that the failure to disclose known material information about the Property may result in liability.

**MESSAGE TO THE BUYER:**

Although Sellers are obligated to disclose all known material (important) facts about the Property, there are likely facts about the Property that the Sellers do not know. Therefore, it is important that you take an active role in obtaining information about the Property.

**INSTRUCTIONS:**
(1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the SPDS. (5) Review all other applicable documents, such as CC&R's, association bylaws, rules, and the title report or commitment. (6) Obtain professional inspections of the Property. (7) Investigate the surrounding area.

**THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT VERIFIED BY THE BROKER(S) OR AGENT(S).**

### OWNERSHIP AND PROPERTY

1. THIS DISCLOSURE CONCERNS THE FOLLOWING REAL PROPERTY: ____________________________

2. ____________________________

3. COUNTY: ____________________________ TAX PARCEL NUMBER: ____________________________

4. ZONING: ____________________________ LEGAL OWNER OF PROPERTY: ____________________________

5. DATE PURCHASED OR ACQUIRED: ____________________________

6. How did you acquire the Property? □ Purchase □ Inheritance □ Foreclosure □ Gift □ Other: ______________________________________________________

7. Is the Property located in an unincorporated area of the county? □ Yes □ No

8. If yes, and five or fewer parcels of land other than subdivided land are being transferred, the Seller must furnish the Buyer with a written Affidavit of Disclosure in the form required by law.

9. To your knowledge, is the Property within a subdivision approved by the Arizona Department of Real Estate? □ Yes □ No

11. If yes, attach a copy of the Subdivision Public Report.

12. Is the legal owner(s) of the Property a foreign person or a non-resident alien pursuant to the Foreign Investment in Real Property Act (FIRPTA)? □ Yes □ No If yes, consult a tax advisor; mandatory withholding may apply.

13. Tax Act (FIRPTA)? □ Yes □ No

14. Does the Property include any leased land? □ Yes □ No

15. If yes, is the land: □ State □ Federal □ Privately owned □ Other: ______________________________________________________

16. How many acres are leased? ____________________________

17. Expiration date of current lease? ____________________________ (Attach a copy of the lease.)

18. Is the Property currently leased to a tenant? □ Yes □ No

19. If yes, expiration date of current lease: ____________________________ (Attach a copy of the lease.)

20. If any refundable deposits or prepaid rents are being held, by whom and how much? Explain: ______________________________________________________

21. **YES** □ **NO** □

22. □ □ Have you entered into any agreement to transfer your interest in the Property in any way, including lease renewals or options to purchase? Explain: ______________________________________________________

23. □ □ To your knowledge, is the Property subject to Covenants, Conditions and Restrictions or deed restrictions? Explain: ______________________________________________________

24. □ □

25. □ □

**ARIZONA REALTORS** Form VLSPDS 02/08 C

Initials: ____________________________

BUYER / BUYER

PAGE 1 of 5

Produced with zipForm® by zipLogix, 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com
26. ☐ ☐ Are you aware of any association(s) governing this Property?
   If yes, provide contact(s) information: Name: __________________________ Phone #: __________________________
   If yes, are there any fees? How much? $ __________________________ How often? __________________________
29. ☐ ☐ Are you aware of any assessments affecting this Property? (Check all that apply):
   ☐ Association assessment ☐ Road maintenance ☐ Sewer ☐ Water ☐ Electric ☐ Other ______________
31. If yes, the approximate balance: $ __________________________
32. ☐ ☐ Are you aware of any proposed assessment(s)?
   If yes, explain: __________________________________________
34. ☐ ☐ Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)?
   Explain: __________________________________________
36. ☐ ☐ Are you aware of any of the following recorded against the Property? (Check all that apply):
   ☐ Judgement liens ☐ Tax liens ☐ Other non-consensual liens
   Explain: __________________________________________
39. ☐ ☐ Are you aware of any title issues affecting this Property? (Check all that apply):
   ☐ Recorded easements ☐ Use restrictions ☐ Lot line disputes ☐ Encroachments
   ☐ Unrecorded easements ☐ Use permits ☐ Conservation easement ☐ Other ______________
41. Explain: __________________________________________
43. ☐ ☐ Are you aware of any pending or anticipated eminent domain or condemnation proceedings regarding the Property?
   Explain: __________________________________________
45. ☐ ☐ Are you aware of any development, impact, or similar fees regarding the Property?
   Explain: __________________________________________

**ACCESS**

47. ☐ ☐ To your knowledge, is there legal access to the Property?
48. ☐ ☐ To your knowledge, is there physical access to the Property?
49. ☐ ☐ To your knowledge, is the physical and legal access the same?
50. To your knowledge, is the road/street access to the Property maintained by: ☐ County ☐ City ☐ Homeowners' association
   ☐ Privately ☐ Not maintained Explain: __________________________________________
52. ☐ ☐ Are you aware of any problems with legal or physical access to the Property?
   Explain: __________________________________________
54. ☐ ☐ Are you aware of any public or private use paths or roadways on or across the Property?
   Explain: __________________________________________

**USE**

56. What is the current use of the Property?
57. What prior uses of the Property are you aware of?
58. ☐ ☐ To your knowledge, does the current use conform with current zoning?
59. ☐ ☐ Are you aware of any improvements on the Property?
61. ☐ ☐ Are you aware of any crops being grown on the Property?
   If yes, are the crops ☐ Owner operated ☐ Tenant operated
   If yes, who has the right to harvest the crops and for what period of time? Explain: __________________________
65. ☐ ☐ Are you aware of any livestock on the Property?
   If yes, are the livestock ☐ Owner operated ☐ Tenant operated ☐ Open range

INITIALS: / /
UTILITIES

67. Are the following services available to the Property?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
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</tbody>
</table>

Electricity ........................................

Fuel ☐ Natural gas ☐ Propane ☐ Oil

Cable ........................................

Telephone ........................................

Garbage collection ................................

Fire ........................................

Are there any alternate power systems installed on the Property? If yes, indicate type (Check all that apply):

☐ Solar ☐ Wind ☐ Generator ☐ Other

If yes, are you aware of any past or present problems with the alternate power system(s)? Explain: ________________

---

WATER

78. Is there a domestic water source to the Property?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
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</tbody>
</table>

If yes, water source is: ☐ Public ☐ Private water company ☐ Private well ☐ Shared well ☐ Hauled water

If water source is a private or shared well, or water can be used from springs, streams, lakes, ponds, reservoirs, canyons, or ravines, complete and attach the DOMESTIC WATER WELL/WATER USE ADDENDUM.

If water source is public, a private water company, or hauled water, Provider is: ________________

Are you aware of any past or present drinking water problems? Explain: ________________

---

SEWER/WASTEWATER TREATMENT

94. NOTICE TO BUYER: CONTACT THE APPROPRIATE GOVERNMENTAL OR PRIVATE PROVIDER REGARDING THE AVAILABILITY AND COST OF SEWER CONNECTION.

96. Type of sewer: ☐ Public ☐ Private ☐ Planned and approved sewer system, but not connected ☐ None

97. Name of Provider: __________________________

98. Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 110.)

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
<td>☐</td>
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<tr>
<td>☑</td>
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</tbody>
</table>

If yes, the Facility is: ☐ Conventional septic system ☐ Alternative system; type: ________________

100. If the Facility is an alternative system, is it currently being serviced under a maintenance contract?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
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</tbody>
</table>

If yes, name of contractor: __________________________ Phone #: __________________________

Approximate year Facility installed: ________________ (Attach copy of permit)

104. ☐ ☐ Are you aware of any repairs or alterations made to this Facility since original installation?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
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<tbody>
<tr>
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</tbody>
</table>

Explain: ________________

107. Approximate date of last Facility inspection and/or pumping of septic tank: ________________
### ENVIRONMENTAL INFORMATION

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>109.</td>
<td>Are you aware of any past or present problems with the Facility? Explain:</td>
</tr>
</tbody>
</table>
| 110. | Are you aware of any site/soil evaluation (percolation or other tests) having been performed on the Property?  
If yes, when and by whom? |

#### NOTICE TO SELLER AND BUYER: THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES A PRE-TRANSFER INSPECTION OF ON-SITE WASTEWATER TREATMENT FACILITIES ON RE-SALE PROPERTIES.

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>112.</td>
<td>The Arizona Department of Environmental Quality requires a pre-transfer inspection of on-site wastewater treatment facilities on re-sale properties.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>113.</td>
<td></td>
</tr>
</tbody>
</table>

#### NOTICE TO SELLER AND BUYER: THE ARIZONA DEPARTMENT OF REAL ESTATE PROVIDES EARTH FISSURE MAPS TO ANY MEMBER OF THE PUBLIC IN PRINTED OR ELECTRONIC FORMAT UPON REQUEST AND ON ITS WEB SITE AT www.azre.gov.

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
<tbody>
<tr>
<td>111.</td>
<td>Are you aware of any portion of the Property ever having been flooded?</td>
</tr>
</tbody>
</table>

#### NOTICE TO SELLER AND BUYER: PURSUANT TO ARIZONA LAW A SELLER SHALL PROVIDE A WRITTEN DISCLOSURE TO THE BUYER IF THE PROPERTY IS LOCATED IN TERRITORY IN THE VICINITY OF A MILITARY AIRPORT OR ANCILLARY MILITARY FACILITY AS DELINEATED ON A MAP PREPARED BY THE STATE LAND DEPARTMENT. THE DEPARTMENT OF REAL ESTATE ALSO IS OBLIGATED TO RECORD A DOCUMENT AT THE COUNTY RECORDER'S OFFICE DISCLOSING IF THE PROPERTY IS UNDER RESTRICTED AIR SPACE AND TO MAINTAIN THE STATE LAND DEPARTMENT MILITARY AIRPORT Map ON ITS WEBSITE AT www.azre.gov.

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 114. | Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):  
Asbestos  Radon gas  Mining operations  Pesticides  Underground storage tanks  Fuel/oil/chemical disposal or storage  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 115. | Are you aware of the presence of any of the following in close proximity to Property, past or present? (Check all that apply):  
Asbestos  Radon gas  Pesticides  Underground storage tanks  Fuel/oil/chemical disposal or storage  Other:  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 117. | Are you aware if the Property is located within any of the following? (Check all that apply):  
Superfund  Water Quality Assurance Revolving Fund ("WQARF")  
Comprehensive Environmental Response Compensation and Liability Act ("CERCLA")  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 118. | Are you aware of any environmental assessments or studies having been performed on the Property? (Check all that apply):  
If yes, was the study a (Check all that apply):  
Phase I  Phase II  Phase III  Other:  
(Attach copies of the environmental assessment or study.)  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 119. | Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply):  
Soil settlement/expansion  Drainage/grade  Erosion  Fissures  Other  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 120. | Are you aware if the Property is located in the vicinity of an airport (military, public, or private)?  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 121. | Are you aware of any conditions that make the Property subject to any of the following ordinances or regulations? (Check all that apply):  
Airport noise  Traffic noise  Rail line noise  Neighborhood noise  Toxic waste disposal  
Odors  Nuisances  Sand/gravel operations  Other  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
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</thead>
</table>
| 122. | Are you aware if any portion of the Property is being situated on or in close proximity to a closed landfill?  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 123. | Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):  
Hillside  Erosion control  Native plant/animal species preservation  Natural area open space requirements  
Wetlands area  Critical habitat  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 125. | Are you aware if the Property is located in the vicinity of an airport (military, public, or private)?  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 126. | Are you aware if the Property is located within any of the following? (Check all that apply):  
Superfund  Water Quality Assurance Revolving Fund ("WQARF")  
Comprehensive Environmental Response Compensation and Liability Act ("CERCLA")  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 127. | Are you aware of any portion of the Property being situated on or in close proximity to a closed landfill?  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 128. | Are you aware if any portion of the Property is in a flood way or flood plain?  
Explain: |

<table>
<thead>
<tr>
<th>NO</th>
<th>YES</th>
</tr>
</thead>
</table>
| 129. | Are you aware if any portion of the Property ever having been flooded?  
Explain: |
### MISCELLANEOUS

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>160.</td>
<td>Are you aware of any survey of the Property by a licensed surveyor having been performed? If yes, when and by whom?</td>
</tr>
<tr>
<td>161.</td>
<td>If yes, is the survey recorded?</td>
</tr>
<tr>
<td>162.</td>
<td>Are you aware of any archeological features or artifacts on the Property?</td>
</tr>
<tr>
<td>163.</td>
<td>Are you aware of any archeological study having been performed on the Property? Explain:</td>
</tr>
<tr>
<td>164.</td>
<td>Are you aware of any endangered species on the Property? Explain:</td>
</tr>
<tr>
<td>165.</td>
<td>Are you aware of any endangered species studies having been performed on the Property? If yes, when and by whom?</td>
</tr>
<tr>
<td>166.</td>
<td>Are you aware of any mineral rights that transfer with the title? If yes, explain:</td>
</tr>
<tr>
<td>167.</td>
<td>Are you aware of any open mine shafts/tunnels or abandoned wells on the Property? If yes, describe location:</td>
</tr>
</tbody>
</table>

### ADDITIONAL EXPLANATIONS

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
</tr>
</thead>
<tbody>
<tr>
<td>168.</td>
<td>Is there any other information concerning the Property that might affect the decision of a buyer to buy, or affect the value of the Property, or affect the Property's use by a buyer? Explain:</td>
</tr>
</tbody>
</table>

### SELLER CERTIFICATION:
Seller certifies that the information contained herein is true and complete to the best of Seller's knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by Seller to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections.

<table>
<thead>
<tr>
<th>SELLER</th>
<th>SELLER</th>
</tr>
</thead>
<tbody>
<tr>
<td>MO/DA/YR</td>
<td>MO/DA/YR</td>
</tr>
</tbody>
</table>


### BUYER'S ACKNOWLEDGEMENT:
Buyer acknowledges that the information contained herein is based only on the Seller's actual knowledge and is not a warranty of any kind. Buyer acknowledges Buyer's obligation to investigate any material (important) facts in regard to the Property. Buyer is encouraged to obtain Property inspections by professional independent third parties.

### NOTICE:
Buyer acknowledges that by law, Seller, Lessors and Brokers are not obligated to disclose that the Property is or has been:
1. the site of a natural death, suicide, homicide, or any other crime classified as a felony;
2. owned or occupied by a person exposed to HIV, diagnosed as having AIDS or any other disease not known to be transmitted through common occupancy of real estate; or
3. located in the vicinity of a sex offender.

### By signing below, Buyer acknowledges receipt only of this SPDS. If Buyer reasonably disapproves of any items provided herein, Buyer shall deliver to Seller written notice of the items disapproved as provided in the Contract.

<table>
<thead>
<tr>
<th>BUYER</th>
<th>BUYER</th>
</tr>
</thead>
<tbody>
<tr>
<td>MO/DA/YR</td>
<td>MO/DA/YR</td>
</tr>
</tbody>
</table>

Initials: / BUYER BUYER

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