

# VACANT LAND/LOT SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS) (To be completed by Seller)

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August 2024



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## 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).

## PROPERTY AND OWNERSHIP

1. THIS DISCLOSURE CONCERNS THE FOLLOWING REAL PROPERTY: 13050 N 19Th St, Phoenix, AZ 85022
2. Lot #50
3. COUNTY: Maricopa TAX PARCEL NUMBER: 166-15-007J
4. ZONING: R-1 DATE PURCHASED OR ACQUIRED: 6.22.23
5. How did you acquire the Property? ☒ Purchase ☐ Inheritance ☐ Foreclosure ☐ Gift ☐ Other: \_\_\_\_\_
6. LEGAL OWNER OF PROPERTY: Kidz First Foundation
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
9. with a written Affidavit of Disclosure in the form required by law.
10. To your knowledge, is the Property within a subdivision approved by the Arizona Department of Real Estate? ☒ Yes ☐ No
11. Is the legal owner(s) of the Property a Foreign Person pursuant to the Foreign Investment in Real Property
12. Tax Act (FIRPTA)? ☐ Yes ☒ No If yes, consult a tax advisor; mandatory withholding may apply.
13. Does the Property include any leased land? ☐ Yes ☒ No
14. If No, skip to line 22
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. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Have you entered into any agreement to transfer your interest in the Property in any way, including lease renewals |
| 23. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | or options to purchase? Explain: <u>Purchase and sales agreement</u>   |
| 24. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | To your knowledge, is the Property subject to Covenants, Conditions and Restrictions or deed restrictions?         |
| 25. |                                     |                          | Explain: <u>Phoenix County codes - Due on sale "AS IS"</u>   |

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# Vacant Land/Lot Seller's Property Disclosure Statement (SPDS) >>

26. YES ☐ NO ☒ Are you aware of any association(s) governing this Property?  
 If yes, membership in the association(s) is ☐ Mandatory ☐ Voluntary  
 27. Association Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 28. Association Name: \_\_\_\_\_ Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 29. If yes, are there any fees? How much? \$ \_\_\_\_\_ How often? \_\_\_\_\_  
 30. How much? \$ \_\_\_\_\_ How often? \_\_\_\_\_  
 31. YES ☐ NO ☒ Are you aware of any assessments affecting this Property? (Check all that apply):  
 32. ☐ Association assessment ☐ Road maintenance ☐ Sewer ☐ Water ☐ Electric ☐ Other \_\_\_\_\_  
 33. If yes, the approximate balance: \$ \_\_\_\_\_  
 34. YES ☐ NO ☒ Are you aware of any proposed assessment(s)?  
 35. If yes, explain: \_\_\_\_\_  
 36. YES ☒ NO ☐ Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)?  
 37. Explain: \_\_\_\_\_  
 38. YES ☐ NO ☒ Are you aware of any of the following recorded against the Property? (Check all that apply):  
 39. ☐ Judgment liens ☐ Tax liens ☐ Other non-consensual liens  
 40. Explain: \_\_\_\_\_  
 41. YES ☐ NO ☒ Are you aware of any title issues affecting this Property? (Check all that apply):  
 42. ☐ Recorded easements ☐ Use restrictions ☐ Lot line disputes ☐ Encroachments  
 43. ☐ Unrecorded easements ☐ Use permits ☐ Conservation easement ☐ Other \_\_\_\_\_  
 44. Explain: \_\_\_\_\_  
 45. YES ☐ NO ☒ Are you aware of any pending or anticipated eminent domain or condemnation proceedings regarding the Property?  
 46. Explain: \_\_\_\_\_  
 47. YES ☐ NO ☒ Are you aware of any development, impact, or similar fees regarding the Property?  
 48. Explain: \_\_\_\_\_  
 49. YES ☐ NO ☒ Are you aware if the Property is located within the boundaries of a Community Facilities District (CFD)?  
 50. If yes, provide the name of the CFD: \_\_\_\_\_  
 51.

## ACCESS

52. There ☒ is ☐ is not legal access to the Property, as defined in A.R.S. §11-831 ☐ unknown  
 53. Explain: 3' walkway - New driveway needed  
 54.  
 55. There ☒ is ☐ is not physical access to the Property ☐ unknown  
 56. Explain: walkway  
 57.  
 58. There ☐ is ☒ is not a statement from a licensed surveyor or engineer available stating whether the Property has  
 59. physical access that is traversable by a two-wheel drive passenger motor vehicle  
 60. The legal and physical access to the Property ☐ is ☐ is not...the same ☐ unknown ☐ not applicable  
 61. Explain: Survey  
 62.  
 63. The road(s) ☒ is publicly maintained ☐ privately maintained ☐ not maintained ☐ not applicable. If applicable, there  
 64. ☐ is ☒ is not a recorded road maintenance agreement.

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

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USE

67. What is the current use of the Property? Empty lot w/ carport - currently occupied by 2 RVs - months to months
68. What prior uses of the Property are you aware of? Mobile home was removed circa 2020

YES NO

69. ☒ ☐ To your knowledge, does the current use conform with current zoning?  
If no, Explain: \_\_\_\_\_
70. ☒ ☐ Are you aware of any improvements on the Property?  
Explain: Carport + mobile home pad
71. ☐ ☒ Are you aware of any crops being grown on the Property?  
If yes, are the crops ☐ Owner operated ☐ Tenant operated
72. ☐ ☒ If yes, who has the right to harvest the crops and for what period of time? Explain: \_\_\_\_\_
73. ☐ ☒ Are you aware of any livestock on the Property?  
If yes, are the livestock ☐ Owner operated ☐ Tenant operated ☐ Open range
74. \_\_\_\_\_
75. \_\_\_\_\_
76. \_\_\_\_\_
77. ☐ ☒ \_\_\_\_\_
78. \_\_\_\_\_

UTILITIES

79. ARE THE FOLLOWING SERVICES AVAILABLE TO THE PROPERTY? PROVIDER
80. ☒ ☐ Electricity: \_\_\_\_\_
81. ☒ ☐ Fuel: ☐ Natural gas ☐ Propane ☐ Oil \_\_\_\_\_
82. ☒ ☐ Cable: \_\_\_\_\_
83. ☒ ☐ Internet: \_\_\_\_\_
84. ☒ ☐ Telephone: \_\_\_\_\_
85. ☒ ☐ Garbage Collection: \_\_\_\_\_
86. ☒ ☐ Fire: \_\_\_\_\_
87. ☐ ☒ Irrigation: \_\_\_\_\_
88. ☐ ☒ Are there any alternate power systems serving the Property? (If no, skip to line 99)  
If yes, indicate type (Check all that apply)  
☐ Solar ☐ Wind ☐ Generator ☐ Other \_\_\_\_\_
89. \_\_\_\_\_
90. ☐ ☒ Are you aware of any past or present problems with the alternate power system(s)?  
Explain: \_\_\_\_\_
91. ☐ ☒ Are any power systems serving the Property leased?  
Explain: \_\_\_\_\_
92. \_\_\_\_\_
93. ☐ ☒ If yes, provide name and phone number of the leasing company (Attach copy of lease if available) \_\_\_\_\_
94. \_\_\_\_\_
95. \_\_\_\_\_
96. \_\_\_\_\_

NOTICE TO BUYER: If the Property is served by a solar system, Buyer is advised to read all pertinent documents and review the cost, insurability, operation, and value of the system, among other items.

WATER

YES NO

99. ☒ ☐ Is there a domestic water source to the Property?
100. If yes, water source is: ☐ Public ☐ Private water company ☐ Private well ☐ Shared well ☐ Hauled water
101. 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.
102. If water source is public, a private water company, or hauled water, Provider is: \_\_\_\_\_
103. \_\_\_\_\_

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YES NO

104. ☐ ☒ Are you aware of any past or present drinking water problems?  
 105. Explain: \_\_\_\_\_  
 106. \_\_\_\_\_  
 107. ☐ ☒ To your knowledge, is the Property in one of the following districts or areas? (Check all that apply):  
 108. ☐ Central Arizona Project (CAP) District ☐ Irrigation Non-Expansion Area ☐ Active Management Area  
 109. ☐ Central Arizona Groundwater Replenishment District ☐ Other: \_\_\_\_\_  
 110. ☐ ☒ Are you aware of any grandfathered water rights associated with the Property?  
 111. If yes, ☐ Type I ☐ Type II ☐ Irrigation  
 112. Grandfathered Water Rights Certificate # \_\_\_\_\_  
 113. What is the allotment? \_\_\_\_\_ acre feet  
 114. Number of irrigated acres \_\_\_\_\_  
 115. ☐ ☒ To your knowledge, does the Property have surface water rights? If yes, Certificate # \_\_\_\_\_

**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, or any of the above services, contact the provider.

**SEWER/WASTEWATER TREATMENT**

YES NO

119. Type of sewer: ☒ Public ☐ Private ☐ Planned and approved sewer system, but not connected ☐ None  
 120. Name of Provider: \_\_\_\_\_  
 121. ☐ ☒ Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 136)  
 122. If yes, the Facility is: ☐ Conventional septic system ☐ Alternative system; type: \_\_\_\_\_  
 123. \_\_\_\_\_ or;  
 124. Other: \_\_\_\_\_  
 125. **NOTICE TO BUYER:** Contact the appropriate governmental or private provider regarding the availability and cost of sewer connection.  
 126. \_\_\_\_\_  
 127. ☐ ☒ If the Facility is an alternative system, is it currently being serviced under a maintenance contract?  
 128. If yes, name of contractor: \_\_\_\_\_ Phone #: \_\_\_\_\_  
 129. Approximate year Facility installed: \_\_\_\_\_ (Attach copy of permit)  
 130. ☐ ☒ Are you aware of any repairs or alterations made to this Facility since original installation?  
 131. Explain: \_\_\_\_\_  
 132. \_\_\_\_\_  
 133. Approximate date of last Facility inspection and/or pumping of septic tank: \_\_\_\_\_  
 134. \_\_\_\_\_  
 135. ☐ ☒ Are you aware of any past or present problems with the Facility? Explain: \_\_\_\_\_  
 136. ☐ ☒ Are you aware of any site/soil evaluation (percolation or other tests) having been performed on the Property?  
 137. If yes, when and by whom? \_\_\_\_\_

**NOTICE TO SELLER AND BUYER:** The Arizona Department of Environmental Quality (ADEQ) requires a pre-transfer inspection of on-site wastewater treatment facilities on re-sale properties.

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**NOTICE TO BUYER:** Cesspools have not been approved for use in Arizona since 1976. Current Arizona Department of Environmental Quality regulations on cesspools specifically prohibit their use for sewage disposal [R18-9-A309(A)(4) and R18-5-408(D)].

### ENVIRONMENTAL INFORMATION

YES NO

143. ☐ ☒ Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):  
 144. ☐ Asbestos ☐ Radon gas ☐ Mining operations ☐ Pesticides  
 145. ☐ Underground storage tanks ☐ Fuel/oil/chemical disposal or storage  
 146. Explain: \_\_\_\_\_
147. ☐ ☒ Are you aware of the presence of any of the following in close proximity to Property, past or present? (Check all that apply):  
 148. ☐ Asbestos ☐ Radon gas ☐ Pesticides ☐ Underground storage tanks  
 149. ☐ Fuel/oil/chemical disposal or storage ☐ Other: \_\_\_\_\_  
 150. Explain: \_\_\_\_\_
151. ☐ ☒ Are you aware if the Property is located within any of the following? (Check all that apply):  
 152. ☐ Superfund ☐ Water Quality Assurance Revolving Fund ("WQARF")  
 153. ☐ Comprehensive Environmental Response Compensation and Liability Act ("CERCLA")
154. ☐ ☒ Are you aware of any environmental assessments or studies having been performed on the Property?  
 155. If yes, was the study a (Check all that apply): ☐ Phase I ☐ Phase II ☐ Phase III ☐ Other \_\_\_\_\_  
 156. (Attach copies of the environmental assessment or study.)
157. ☒ ☐ Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply):  
 158. ☐ Soil settlement/expansion ☐ Drainage/grade ☐ Erosion ☐ Fissures ☐ Other \_\_\_\_\_  
 159. Explain: \_\_\_\_\_

**NOTICE TO 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 website at: [www.azre.gov](http://www.azre.gov)

162. ☐ ☒ Are you aware of any past or present issues or problems in close proximity to the Property related to any of the following? (Check all that apply):  
 163. ☐ Soil settlement/expansion ☐ Drainage/grade ☐ Erosion ☐ Fissures ☐ Other \_\_\_\_\_  
 164. Explain: \_\_\_\_\_
165. ☒ ☐ Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):  
 166. ☐ Airport noise ☐ Traffic noise ☐ Rail line noise ☐ Neighborhood noise ☐ Toxic waste disposal  
 167. ☐ Odors ☐ Nuisances ☐ Sand/gravel operations ☐ Other \_\_\_\_\_  
 168. Explain: \_\_\_\_\_
169. ☐ ☒ Are you aware of any portion of the Property being situated on or in close proximity to a closed landfill?  
 170. Explain: \_\_\_\_\_
171. ☐ ☒ Are you aware of any conditions that make the Property subject to any of the following ordinances or regulations? (Check all that apply):  
 172. ☐ Hillside ☐ Erosion control ☐ Native plant/animal species preservation ☐ Natural area open space requirements  
 173. ☐ Wetlands area ☐ Critical habitat
174. ☐ ☒ Are you aware if the Property is located in the vicinity of an airport (military, public, or private)?  
 175. Explain: \_\_\_\_\_



**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](http://www.azre.gov).

YES NO

Are you aware if any portion of the Property is in a flood way or flood plain?

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

Are you aware of any portion of the Property ever having been flooded?

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

**NOTICE TO BUYER:** Your mortgage lender [may] [will] require you to purchase flood insurance in connection with your purchase of this property. The National Flood Insurance Program provides for the availability of flood insurance and establishes flood insurance policy premiums based on the risk of flooding in the area where properties are located. Changes to federal law (The Biggert-Waters Flood Insurance Reform Act of 2012 and the Homeowner Flood Insurance Affordability Act of 2014, in particular) will result in changes to flood insurance premiums that are likely to be higher, and in the future may be substantially higher, than premiums paid for flood insurance prior to or at the time of sale of the property. As a result, purchasers of property should not rely on the premiums paid for flood insurance on this property previously as an indication of the premiums that will apply after completion of the purchase. In considering purchase of this property you should consult with one or more carriers of flood insurance for a better understanding of flood insurance coverage, current and anticipated future flood insurance premiums, whether the prior owner's policy may be assumed by a subsequent purchaser of the property, and other matters related to the purchase of flood insurance for the property. For more information about flood insurance as it relates to this property, you may also wish to contact the Federal Emergency Management Agency (FEMA) at: <https://www.fema.gov/national-flood-insurance-program>.

### MISCELLANEOUS

YES NO

Are you aware of any survey of the Property by a licensed surveyor having been performed? If yes, when and by whom? Weir recorded (Attach surveyor's plat map)

If yes, is the survey recorded?

Are you aware of any archeological features or artifacts on the Property?

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

Are you aware of any archeological study having been performed on the Property?

If yes, when and by whom? \_\_\_\_\_

Are you aware of any endangered species on the Property? Explain: \_\_\_\_\_

Are you aware of any endangered species studies having been performed on the Property? If yes, when and by whom? \_\_\_\_\_

Are you aware of any mineral rights that transfer with the title? If yes, explain: \_\_\_\_\_

Are you aware of any open mine shafts/tunnels, abandoned wells, or other hazards on the Property? If yes, describe location: \_\_\_\_\_

(Illustrate location on plat map, if attached.)

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YES NO

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: \_\_\_\_\_

Need New access

**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.

7 SELLER'S SIGNATURE  
NALLCO, INC.

MO/DAY/YR

^ SELLER'S SIGNATURE

MO/DAY/YR

Reviewed and updated:      Initials:

SELLER

SELLER

MO/DA/YR

**BUYER'S ACKNOWLEDGMENT:** 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, Sellers, 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 disapproves of any items provided herein, Buyer shall deliver to Seller written notice of the items disapproved as provided in the Contract.

^ BUYER'S SIGNATURE

MO/DAY/YR

^ BUYER'S SIGNATURE

MO/DAY/YR