



**Arizona Department of Real Estate (ADRE)  
Development Services Division**

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

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PHOENIX, AZ 85007

DOUGLAS A. DUCEY  
GOVERNOR

JUDY LOWE  
COMMISSIONER

**SUBDIVISION DISCLOSURE REPORT**

(PUBLIC REPORT)

FOR

**Luxian Villas on Camelback, a Condominium  
aka Luxian Villas, Luxian Scottsdale**

Registration No. DM19-059490

**SUBDIVIDER**

Luxian Villas on Camelback, LLC, an Arizona limited liability company  
11340 W. Bell Road  
Surprise, Arizona 85378

Effective Date: April 30, 2019

**PROPERTY REPORT DISCLAIMER**

This report is NOT A RECOMMENDATION NOR AN ENDORSEMENT by the State of Arizona of this land. The application and public report have not been subjected to a detailed examination by the Department. The report was prepared by the subdivider and none of the information in this report has been verified by the Department; all information has been accepted by the Department as true and accurate based on attestation of the subdivider/or the subdivider's agents. The purchaser should verify all facts before signing any documents. The Department assumes no responsibility for the quality or quantity of any improvement in this development.



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**THE ARIZONA DEPARTMENT OF REAL ESTATE**

**REQUIRES THAT:**

1. You BE GIVEN this public report;
2. YOU SIGN A RECEIPT indicating that you received this report;

**RECOMMENDS:**

1. You DO NOT SIGN ANY AGREEMENT before you have read this report;
2. You see the EXACT PROPERTY you are interested in BEFORE SIGNING any document for lease or purchase.

**ARIZONA LAW STATES:**

1. THE SALE OR LEASE OF SUBDIVIDED LANDS PRIOR TO ISSUANCE OF THIS REPORT OR FAILURE TO DELIVER THIS REPORT TO YOU SHALL RENDER THE SALE OR LEASE RESCINDABLE BY YOU. ACTION TO RESCIND MUST BE BROUGHT WITHIN 3 YEARS FROM DATE OF EXECUTION OF PURCHASE AGREEMENT.
2. CONTRACTS OR AGREEMENTS FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)\* MAY BE RESCINDED BY YOU WITHOUT CAUSE BY SENDING OR DELIVERING WRITTEN NOTICE OF RESCISSION BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE SIGNING.
3. IF YOU HAVE SIGNED A PURCHASE AGREEMENT FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)\* PRIOR TO INSPECTING THE LOT, YOU HAVE SIX MONTHS TO INSPECT AND UPON INSPECTION MAY RESCIND THE PURCHASE AGREEMENT.

\*A contract or agreement for purchase of a lot which includes a building or obligates the seller to complete construction of a building within two years from the contract date does not constitute the purchase of an unimproved lot. Therefore, if your purchase includes a lot and a building or a building to be built, you are not entitled to the rescission rights described in paragraphs 2 and 3.



## **GENERAL**

**This report includes:** Units 1001 through 1014, inclusive.

**The map of this subdivision** is recorded in Book 1420 of Maps, page 13, records of Maricopa County, Arizona.

The subdivision is approximately 3.124 gross acres in size. It has been divided into 14 Units and common elements. Lot boundaries will be staked at the corners and radii.

**YOU ARE ADVISED TO OBTAIN A COPY OF THE RECORDED MAP AND CORRECTION DOCUMENTS, IF ANY, AND NOTE ALL EASEMENTS, RESTRICTIONS AND STATEMENTS CONTAINED THEREIN.**

## **SUBDIVISION LOCATION**

**Location:** The subdivision is located on the north side of Camelback Road east of 64<sup>th</sup> Street, within the City of Scottsdale, Maricopa County, Arizona.

## **UTILITIES**

**Electricity** Arizona Public Service (APS), (602) 371-7171, website: [www.aps.com](http://www.aps.com). Subdivider to complete the facilities to the lot lines by April 30, 2020. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchaser's cost to receive service includes a service activation fee of \$25.00, plus tax. A security deposit may be required. Deposit amounts are based on usage from the new address. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change, please contact the utility provider for further details.

**Telephone:** CenturyLink, (800) 244-1111, website: [www.centurylink.com](http://www.centurylink.com) or Cox Communications, (623) 594-1000 or (866) 867-7644, website: [www.cox.com](http://www.cox.com). Subdivider to complete the facilities to the lot lines by April 30, 2020. Cost to complete facilities from lot line to dwelling is included in the purchase price. For CenturyLink: Purchaser's cost to receive service is a one-time service activation fee of \$27.50; a credit check and/or deposit may be required. For Cox Communications: Purchaser's cost to receive service may include a one-time installation fee of \$75.00 and a credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.



**NOTE: IT IS POSSIBLE THAT YOU MAY NOT HAVE TELEPHONE SERVICE AT THE TIME OF CLOSING. PURCHASER IS ADVISED TO CONTACT THEIR SERVICE PROVIDER TO DETERMINE THE STATUS OF TELEPHONE SERVICE. YOU MAY ALSO WANT TO CONSIDER TEMPORARY ALTERNATIVES, I.E., A CELLULAR TELEPHONE.**

**Cable:** CenturyLink, (DirecTV service through CenturyLink), (800) 244-1111, website: [www.centurylink.com](http://www.centurylink.com) or Cox Communications, (623) 594-1000 or (866) 867-7644, website: [www.cox.com](http://www.cox.com). Subdivider to complete the facilities to the lot lines by April 30, 2020. Cost to complete facilities from lot line to dwelling is included in the purchase price. For CenturyLink: Purchaser's cost to receive DirecTV service through CenturyLink includes an activation fee of \$35.00, plus tax. A credit check and/or deposit may be required. For Cox Communications: Purchasers will be required to pay an installation fee of \$20.00 (self-connect) or \$75.00 (professional connect). A credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.

**NOTE: IT IS POSSIBLE THAT YOU MAY NOT HAVE CABLE SERVICE AT THE TIME OF CLOSING. YOU ARE ADVISED TO CONTACT YOUR SERVICE PROVIDER TO DETERMINE THE STATUS OF CABLE SERVICE. YOU MAY ALSO WANT TO CONSIDER TEMPORARY ALTERNATIVES, I.E., A SATELLITE ANTENNA.**

**Internet or Fiber Optic:** CenturyLink, (800) 244-1111, website: [www.centurylink.com](http://www.centurylink.com) or Cox Communications, (623) 594-1000 or (866) 867-7644, website: [www.cox.com](http://www.cox.com). Subdivider to complete the facilities to the lot lines by April 30, 2020. Cost to complete facilities from lot line to dwelling is included in the purchase price. For CenturyLink: Purchaser's cost to receive service is a one-time service activation fee of \$19.95, plus tax. A credit check and/or deposit may be required. For Cox Communications: Purchasers will be required to pay an installation fee of \$20.00 (self-connect) or \$75.00 (professional connect). A credit check and/or deposit may be required. Purchasers should check with the utility provider for additional information regarding types of services available as well as installation fees and monthly costs associated with that service. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact the utility company for further details.

**NOTE: IT IS POSSIBLE THAT YOU MAY NOT HAVE INTERNET SERVICE AT THE TIME OF CLOSING. YOU ARE ADVISED TO CONTACT YOUR SERVICE PROVIDER TO DETERMINE THE STATUS OF INTERNET SERVICE. YOU MAY ALSO WANT TO CONSIDER TEMPORARY ALTERNATIVES, I.E., A SATELLITE ANTENNA.**



**Natural Gas:** Southwest Gas Corporation, (877) 860-6020, website: [www.swgas.com](http://www.swgas.com). Subdivider to complete the facilities to the lot lines by April 30, 2020. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchaser's cost to receive service includes a service establishment charge of \$35.00, plus tax. A deposit of \$80.00 may be required. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change, please contact utility company for further details.

**Water:** City of Scottsdale, (480) 312-2461, website: [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov). Subdivider to complete the facilities to the lot lines by April 30, 2020. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchaser's cost to receive services includes an account establishment fee (on your first bill) of \$34.00. A deposit may be required unless you provide your Escrow information. Monthly water base fee is determined by size of meter. Once service is established, direct user charges will apply. Fees and/or deposits are subject to change; please contact utility company for further details.

**Sewage Disposal:** City of Scottsdale, (480) 312-2461, website: [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov). Subdivider to complete the facilities to the lot lines by April 30, 2020. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchaser's cost to receive service is included in the water activation fees. Once service is established, direct user charges will apply. Fees are subject to change; please contact utility company for further details.

**Garbage Services:** City of Scottsdale, (480) 312-2461, website: [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov). Purchaser's cost to receive service is included in the water activation fees. Once service is established, direct user charges will apply. Fees are subject to change; please contact utility company for further details.

**PURCHASERS ARE ADVISED TO CONTACT THE ABOVE LISTED PROVIDERS REGARDING EXTENSION RULES, REGULATIONS, SERVICE CONNECTIONS, INSTALLATION CHARGES, ACCOUNT SET-UP FEES AND THE COSTS INVOLVED. COSTS ARE SUBJECT TO CHANGE BY THE SERVICE PROVIDERS.**

### **STREETS, ROADS AND DRAINAGE**

**Access to the Subdivision:** The asphalt paved public streets have been completed to the minimum standards of the City of Scottsdale and have been accepted by the city for continued maintenance. Costs to purchasers for continued maintenance are included in their property taxes.

**Access within the Subdivision:** Subdivider to complete the asphalt paved private streets to the minimum standards of the City of Scottsdale by April 30, 2020, which will then be accepted by the Homeowners Association for maintenance. Costs to purchasers for maintenance are included in the Homeowners Association assessments.



**Street Lights:** Subdivider advises that street light facilities will not be available within the subdivision.

**Flood and Drainage:** Subdivider to complete the retention system and catch basins by January 31, 2020, which will be accepted by the Homeowners Association for maintenance. Costs to purchasers for maintenance are included in the Homeowners Association assessments.

**Arizona State Trust Land:** The Arizona State Land Department administers over 9.3 million acres of State Trust Land. This is not public land. Trust land may be subject to future development and may not be preserved or saved for open space without compensation.

A person must have prior approval to use State Trust Land. Temporary recreational use is allowed with certain restrictions and conditions through purchase of a recreational permit. Use of State Trust Land without proper approval is a trespass.

**MANY ROADS ON RURAL TRUST LANDS ARE NOT LEGAL TRAVEL ROUTES, EXCEPT FOR STATE LESSEES AND HUNTERS, AND DO NOT PROVIDE LEGAL ACCESS TO PRIVATE LAND. STATE TRUST LAND MAY BE SOLD OR LEASED FOR USES WHICH MAY EXCLUDE RECREATION. RECREATION IS A TEMPORARY USE THAT MAY BE TERMINATED AT ANY TIME.**

For additional information, visit the State Land Department web page at [www.azland.gov](http://www.azland.gov), or call (602) 542-4631.

## **LOCAL SERVICES AND FACILITIES**

### **Schools:**

**Elementary:** Hopi Elementary School (K-5), 5110 E. Lafayette Boulevard, Phoenix, Arizona 85018, (480) 484-2000, approximately 1 ½ miles southwest of the subdivision.

**Middle:** Ingleside Middle School (6-8), 5402 E. Osborn Road, Phoenix, Arizona 85018, (480) 484-4900, approximately 1 ½ miles southwest of the subdivision.

**High School:** Arcadia High School (9-12), 4703 E. Indian School Road, Phoenix, Arizona 85018, (480) 484-6300, approximately 2 ¼ miles southwest of the subdivision.

School bus transportation will only be provided to students residing outside the schools designated walking distance. Purchasers should contact the schools to determine the availability of school bus transportation. School bus transportation is subject to change and is outside the control of subdivider.



**NOTE: Purchasers are advised that school boundaries, school size, school facilities and school bus transportation are subject to change. Prospective Purchasers should contact the Scottsdale Unified School District at (480) 484-6100 or visit their website at [www.susd.org](http://www.susd.org) for verification of schools. Additional information regarding schools and districts can be found at the following websites: [www.greatschools.net](http://www.greatschools.net) and [www.sfb.state.az.us](http://www.sfb.state.az.us).**

**Shopping Facilities:** Fry's, 7628A E. Indian School Road, Scottsdale, Arizona 85251, approximately 1 ½ miles southeast of the subdivision.

**Public Transportation:** Valley Metro nearest bus stop is located at East Camelback Road and 64<sup>th</sup> Street (Stop #13361), approximately 100 feet from the subdivision.

**NOTE: Bus routes and schedules are subject to change. For additional information, please contact the Valley Metro Transit System at (602) 253-5000, or visit the website at [www.valleymetro.org](http://www.valleymetro.org).**

**Medical Facilities:** HonorHealth Scottsdale Osborn Medical Center, 7400 E. Osborn Road, Scottsdale, Arizona 85251, (480) 882-4000, approximately 1 ½ miles southeast of the subdivision.

**Fire Protection:** Provided by the City of Scottsdale Fire Department, with costs to purchasers included in the property taxes.

**Ambulance Service:** Ambulance service is available by dialing 911.

**Police Services:** Provided by the City of Scottsdale Police Department.

**LOCATIONS AND COSTS OF THE ABOVE SERVICES AND FACILITIES MAY CHANGE. YOU SHOULD VERIFY THEIR CURRENT LOCATIONS AND COSTS PRIOR TO PURCHASE.**

### **COMMON, COMMUNITY AND RECREATIONAL FACILITIES**

**Within the Subdivision:** Subdivider to complete the pool, gazebo, gate, and landscaping by April 30, 2020, which will then be accepted by the Homeowners Association for maintenance. Costs to purchasers are included in the Homeowners Association assessments.

### **ASSURANCES FOR COMPLETION OF IMPROVEMENTS**

**Assurances for Completion of Subdivision Facilities:** Subdivider has provided an Irrevocable Letter of Credit to assure completion of the improvements.

**Assurances for Maintenance of Subdivision Facilities:** CC&Rs provide for the Homeowners' Association to maintain all common areas and private streets. Utility companies to maintain their respective utilities. The City of Scottsdale to maintain public streets.



**PROPERTY OWNERS ASSOCIATIONS**

**Name and Assessments:** Luxian Villas on Camelback Condominium Owners Association, Inc. Property Owners will be required to pay assessments in the amount of approximately \$575.00 per month.

**Control of Association:** Control of the Association will be turned over to the Unit purchasers on the first of the following: (i) the date which is ninety (90) days after the conveyance of seventy-five percent (75%) of the Units to Unit Owners other than the Declarant; (ii) four (4) years after Declarant has ceased to offer Units for sale in the ordinary course of business, or (iii) the date that the Declarant notifies the Board of Directors in writing that it is electing to conditionally or unconditionally terminate the Period of Declarant Control.

**Title to Common Areas:** Each owner of a unit will be conveyed an undivided fractional interest in the common elements.

**Membership:** All Lot Purchasers will be members of the Association.

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

**SUBDIVISION CHARACTERISTICS**

**Topography:** Land is level.

**Flooding and Drainage:** This subdivision is not subject to known flooding or drainage problems. In his letter dated December 28, 2018, Stuart W. Rayburn, P.E., Principal, of RCC Design Group, LLC, has cited, in part:

“Luxian Villas is a 14-unit residential condominium development located on approximately 3.0 acres at 6500 E. Camelback Road in Scottsdale, Arizona. Luxian Villas on Camelback, LLC has requested that RCC Design Group, LLC provide a certified flood letter for the property’s public report.

Based on current FEMA Flood Insurance Rate Maps (FIRMs) the site is located on map 04013C1765L, dated October 16, 2013, see attached FEMA Exhibit, and lies within Zone “X: flood zone. Zone “X” is defined as follows:

Zone “X” (shaded) – Areas of 0.2% annual chance of flood; areas of 1% annual chance of flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.



Based on the requirements of FEMA and Maricopa County, developments within Zone “X” (shaded) flood hazard area do not require flood insurance.”

**Soils:** Subdivider advises that the soils have low expansion potential. In his letter, dated January 8, 2019, H. Eugene Hansen, P.E., Senior Geotechnical Engineer, of ACS Services LLC, has cited, in part:

“It is understood that the proposed development will consist of multiple single family units, typically two (2) stories in height, of wood frame/masonry construction imposing relatively light foundation loads. For purposes of foundation design, maximum column and wall loads have assumed to be as summarized below:

	<b>Maximum Column Load (KIPS)</b>	<b>Maximum Wall Load (KLF)</b>
<b>Shallow Surface Level Spread Foundations</b>	74	4.5

Grading will consist of minor cuts and fills to obtain finish grade elevations or as necessary for removal of existing uncontrolled fill and support of foundations. The recommendations for site grading contained in the report do not address the presence or removal of contaminants from the site soils.

The site encompasses three (3) existing land parcels totaling approximately 3.05 acres of currently vacant land. The west two parcels were previously developed with single family residences in 2005, which were demolished shortly thereafter. The geotechnical investigation completed for the development was carried out in a manner to cover the entire property, but focused in the planned building areas.

The ground surface is generally flat and level. Approximately 1.5 to 2.5 feet of existing uncontrolled fill was noted at the locations of most of the borings. However, 6.0 feet of existing uncontrolled fill was encountered at the location of an old pool that was removed and backfilled. Some disturbed soil is expected due to removal of previous trees and root systems, foundations, and buried utilities. Any existing fill or disturbed soil must be removed during the earthwork phase of the project.

No groundwater was encountered on the site above a depth of 15.5 feet.

The site is not located within any known areas of significant groundwater subsidence due to groundwater withdrawal. The site is not located in an area with known earth fissures.

Based on the results of the investigation, it appears that the potential for soil expansion is low for the upper existing fill soils, but moderate to high for the native clayey sand soils below a depth of 1.5 feet. To mitigate the effect of the moderately to highly expansive nature of the native clayey sand soils below a depth of 1.5 feet at the site, it is recommended that low expansion potential import soils or the non-expansive silty sand fill soils that exist above a depth of 1.5 feet at the site, be utilized in the upper 12 inches of the building pads.



The potential for soil collapse is moderate to high for the upper native soils. As a result of the moderate to high collapse potential, site preparation will require some reworking and compaction of the underlying native soils below the proposed buildings for footings bearing on controlled compacted fill. For that alternative, site preparation for conventional foundations and slabs will require removal of the upper native soils to a minimum depth of 3.0 feet across the entire area of each building pad and replacement with controlled compacted fill. Surface level spread foundations bearing on controlled compacted fill should be embedded a minimum depth of 1.5 feet below lowest adjacent grade.

Alternatively, footings may bear directly on native undisturbed soil. Surface level spread foundations bearing on native undisturbed soil should be embedded a minimum depth of 3.0 feet below lowest adjacent grade.

Total and differential settlements from assumed loads will be within generally accepted tolerances provided that the building sites are prepared and grading operations are performed as specified in the Geotechnical Investigation Report, no major changes in the moisture content of foundation bearing soils occurs after construction, and that positive drainage away from the residential structures is maintained.

During and after construction of the structures, structural foundation/floor slab bearing soils should not be exposed to moisture infiltration or moisture content fluctuations. Proper drainage of surface water and roof runoff water away from the structures should be provided during construction as well as throughout the life of the structures. Long-term ponding should not be allowed near structures. Proper placement of yard vegetation and irrigation systems should be used so that structural foundation/floor slab bearing soils are not exposed to moisture infiltration or moisture content fluctuations.

In the Geotechnical Investigation Report, recommendations are given for the subsurface soil conditions that were encountered at the site during our investigation. Based on the findings presented in the Geotechnical Investigation Report for the development, the site is considered suitable for the proposed residential structures imposing relatively light foundation loads provided that foundation/floor slab systems are properly designed, specified compaction for fill material is used, and foundation bearing soils are not exposed to moisture infiltration or moisture content fluctuation.

The Geotechnical Investigation Report is not intended as a bidding document, and any contractor reviewing this report must draw his own conclusions regarding specific construction techniques to be used.

The soil materials and conditions encountered on the subject site and utilized in our laboratory analysis are believed to be representative of the total area; however, soil materials and conditions do vary in character between points of investigation. The recommendations contained in the Geotechnical Investigation Report are based on the assumption that the soil materials and conditions do not deviate appreciably from those disclosed by the investigation. Should unusual soil materials or conditions be encountered during construction, the soil engineer must be notified so that he may make supplemental recommendations if they should be required.



The Geotechnical Investigation Report is issued with the understanding that it is the responsibility of the owner to see that its provisions are carried out or brought to the attention of those concerned. In the event that any changes of the proposed project are planned, the conclusions and recommendations contained in this report shall be reviewed and the report shall be modified or supplemented as necessary.”

**Adjacent Lands and Vicinity:**

**North:** Phoenician Golf Course (Zoned PUD-Planned Urban Development. PUD is a standalone set of zoning regulations for a specific project). The 27 homes surrounding the golf course are in Camelback Country Club Estates and are zoned R1-35.

**South:** Camelback Road- Subdivision immediately across on Camelback Road is called Lombardi Estates (all homes zoned R1-35)

**East:** Phoenician Golf Course (Zoned PUD-Planned Urban Development. PUD is a standalone set of zoning regulations for a specific project). The 27 homes surrounding the golf course are in Camelback Country Club Estates and are zoned R1-35.

**West:** Phoenician Golf Course (Zoned PUD-Planned Urban Development. PUD is a standalone set of zoning regulations for a specific project). The 27 homes surrounding the golf course are in Camelback Country Club Estates and are zoned R1-35.

**NOTE: Owners of the adjacent land described above may seek to rezone their property, may seek zoning variances for their property or may modify their site plan within existing zoning. Consequently, no assurance can be given that the zoning or uses for the adjacent lands will not change from that described above. Purchasers should contact the City of Scottsdale Planning and Development Department at (480) 312-6500 or Maricopa County Planning and Development, (602) 506-7310 or visit their Web sites at [www.scottsdaleaz.gov](http://www.scottsdaleaz.gov) or [www.maricopa.gov](http://www.maricopa.gov).**

**North**

- Phoenician Golf Club, adjacent
- Municipal Buildings, approximately 2 miles
- Law Enforcement Buildings, approximately 2 miles
- Fire Station, approximately 2 miles

**Northeast**

- Phoenician Golf Club, adjacent
- Scottsdale Fashion Square, within ½ mile
- Kiva Municipal Sports Complex, approximately 1 ¼ miles
- Arizona Canal, approximately 1 ¼ miles
- Indian Bend Wash Greenbelt, approximately 1 ¾ miles
- The Borgata, approximately 1 ¾ miles
- Fire Station, approximately 1 ¾ miles
- Chaparral Park, approximately 2 miles
- Valley Metro Park-and-Ride, approximately 2 miles
- McCormick-Stillman Railroad Park, approximately 2 ½ miles
- McCormick Ranch Golf Club, approximately 2 ¾ miles
- Salt River Pima-Maricopa Indian Community, approximately 2 ¾ miles
- Scottsdale Silverado Golf Club, approximately 3 miles



**East**

- Phoenician Golf Club, adjacent
- Scottsdale Fashion Square, within ½ mile
- Arizona Canal, approximately ¾ mile
- Camelback Park, approximately 1 ¾ miles
- Indian Ben Wash Greenbelt, approximately 1 ¾ miles
- Indian School Park & Tennis Center, approximately 1 ¾ miles
- Salt River Pima-Maricopa Indian Community, approximately 2 ¾ miles

**Southeast**

- Indian School Park & Tennis Center, approximately ½ mile
- Scottsdale Fashion Square, approximately ½ mile
- Scottsdale Civic Center, approximately 1 mile
- Municipal Buildings, approximately 1 ¼ miles
- Library, approximately 1 ¼ miles
- Scottsdale Stadium, approximately 1 ¼ miles
- Fire Station, approximately 1 ¼ miles
- HonorHealth Scottsdale Osborn Medical Center, approximately 1 ½ miles
- Banner Behavioral Health Hospital, approximately 1 ¾ miles
- Indian Bend Wash Greenbelt, approximately 1 ¾ miles
- Continental Golf Course, approximately 1 ¾ miles
- Coronado Golf Course, approximately 2 miles
- Eldorado Park, approximately 2 ¼ miles
- Post Office, approximately 2 ½ miles and approximately 3 miles
- SkySong-ASU Scottsdale Innovation Center, approximately 2 ¾ miles
- Salt River Pima-Maricopa Indian Community, approximately 2 ¾ miles
- Fire Station, approximately 2 ¾ miles

**South**

- Arizona Canal, approximately ¾ mile
- Palute Park, approximately 1 ¼ miles
- Grand Canal, approximately 1 ½ miles
- Papago Softball Complex, approximately 2 miles
- Papago Park, approximately 2 ½ miles
- Desert Botanical Garden, approximately 2 ¾ miles



**Southwest**

- Arizona Canal, approximately 1 mile
- G.R. Herberger Park, approximately 1 mile
- Arizona Country Club, approximately 1 ¼ miles
- Old CrossCut Canal Park, approximately 2 miles
- Papago Army Airfield, approximately 2 ¼ miles
- Papago Military Reservation, approximately 2 ¼ miles
- St. Francis Cemetery, approximately 2 ½ miles
- Fire Station, approximately 2 ½ miles
- Library, approximately 2 ¾ miles
- Arcadia Crossing Shopping Center, approximately 2 ¾ miles

**West**

- Phoenician Golf Club, adjacent
- Arizona Canal, approximately 2 ½ miles

**Northwest**

- Phoenician Golf Club, adjacent
- Camelback Mountain, approximately ¾ mile
- Camelback Mountain Echo Canyon Recreation, approximately 1 mile
- Mountain Shadows Golf Course, approximately 1 ¾ miles
- Paradise Valley Country Club, approximately 2 ½ miles

**Scottsdale Stadium:** Due to the proximity of the ball fields and other outdoor activities, there may be increased traffic, noise, dust, lighting or other effects resulting from activities associated with events held at the facility that may be of concern to some individuals. Subdivider advises that it does not own or control the ball fields adjacent to or in the vicinity of the lots and does not control individuals or their actions which may include errant baseballs from time to time. Such errant baseballs may cause damage to buyer's residence and/or injuries to persons.

Numerous community parks, churches, schools and city and private facilities are located adjacent and up to five miles from this community. Purchasers should be aware that activities may take place at some of these facilities at all times of the day or night. Noise, lighting, dust, odors, signage, as well as increased vehicle and pedestrian traffic may be associated with these activities. These activities may be of concern to some individuals.

Subdivider advises that it does not own or control the golf course adjacent to or in the vicinity of the lots and does not control golfers or their actions which may include errant golf shots from time to time. Such errant shots may cause damage to buyer's residence and/or injuries to persons.

Honor Health Scottsdale Osborn Medical Center: This hospital is a certified Level 1 Trauma Center that may on occasion receive patients via helicopter. Due to the proximity of the hospital there may be increased traffic, noise or lights resulting from activities associated with this type of facility.



**Bodies of Water:** Purchasers are advised that canals, creeks, channels, rivers, floodways, man-made lakes, levees, washes, and wells may be hazardous to unsupervised children and adults. Purchasers are advised to independently investigate this matter. For further information, please contact the Flood Control District of Maricopa County at (602) 506-1501 or visit their website at [www.fcd.maricopa.gov](http://www.fcd.maricopa.gov).

**Fire Station:** Due to the proximity of fire stations, this subdivision may experience an increase amount of noise, and other effects associated with this type of facility that may be of concern to some individuals.

**Termites:** Prior to pouring finished floors, each home will be treated for termites with certain chemicals, as permitted by law. The termite protection warranty that is provided with the home does not guarantee that termite infestation will not occur during the warranty period. The chemicals dissipate over time and other events may occur that will require the home to be retreated. Certain actions to the home, such as excessive watering and landscaping around the foundation of the home, may void the warranty.

**Scorpions and Other Pests:** Cockroaches, snakes, black widow spiders, scorpions and other pests and animals are common in parts of Arizona. Fortunately, most pests can be controlled with pesticides. Scorpions, on the other hand, may be difficult to eliminate. Purchasers with concerns should seek the advice of a pest control company. If these or any other creatures are a concern, purchaser may contact the Arizona Game and Fish Department at (602) 942-3000, or visit their website at [www.azgfd.gov](http://www.azgfd.gov). For additional information, please visit [www.desertusa.com](http://www.desertusa.com).

**Views:** Views and/or scenes that may be visible from particular portions of the community or any of its lots will change over time and may be wholly or partially obstructed as development activity continues and landscape matures. SUBDIVIDER MAKES NO REPRESENTATIONS OR WARRANTY REGARDING THE FUTURE PROTECTION OF VIEWS THAT MAY BE A FACTOR IN THE PURCHASER'S DECISION TO PURCHASE IN THIS COMMUNITY.

**Construction Traffic:** During the construction of additional roads, widening of existing roads, and construction of houses in the subdivision, additional vehicle traffic (including heavy construction vehicles), dust, noise (including construction noise in the early mornings), etc. may exist.

**Model Homes:** Lots situated adjacent to or in the vicinity of the model home may experience an additional amount of noise, lighting, signage, and vehicular and pedestrian traffic typically associated with such activities.

**Natural Gas Lines:** As a result of natural gas facilities available to lots within and in the vicinity of this subdivision, major natural gas lines in the vicinity of this community are necessary in order to service the surrounding areas. For further information regarding natural gas lines, purchasers should contact Southwest Gas Corporation at (877) 860-6020 or log onto their website at [www.swgas.com](http://www.swgas.com). Additional information may be obtained by contacting the Pipeline and Railroad Safety Department of the Arizona Corporation Commission at (602) 262-5601 or visit the Corporation Commission web site at [www.azcc.state.az.us](http://www.azcc.state.az.us).



Subdivider has researched the surrounding area land uses and has made every attempt to disclose information allowing purchaser to make the most informed purchase decision. It is the responsibility of each prospective purchaser to conduct independent research to determine if this property is acceptable. Prospective purchasers are encouraged to (i) drive the areas surrounding the subdivision (at different times of the day) to determine whether there exists any activities or conditions that may be of concern to Purchaser and (ii) determine to Purchaser's own satisfaction whether or not the items mentioned in the Public Report or discovered by Purchaser's own inspections are of concern to Purchaser.

**PURCHASER IS ADVISED THAT HOMES SITUATED ADJACENT TO OR IN THE VICINITY OF COMMERCIAL PROPERTY, MULTI-FAMILY SITES, WORSHIP SITES, SCHOOL SITES, STREETS, FREEWAYS, PARKWAYS, ROADWAYS, TRAILS, OPEN SPACE AREAS, CONSTRUCTION-RELATED OPERATIONS, INDUSTRIAL PROPERTIES, PROVING GROUND, MINING OPERATIONS, ENTERTAINMENT VENUES, PARKS, CORRECTIONAL FACILITIES, AGRICULTURAL AREAS, OTHER NON-RESIDENTIAL USES, AND/OR OTHER RECREATION AMENITIES MAY EXPERIENCE AN ADDITIONAL AMOUNT OF NOISE, DUST, LIGHTING, AND SIGNAGE, AS WELL AS PEDESTRIAN AND VEHICULAR TRAFFIC TYPICALLY ASSOCIATED WITH SUCH FACILITIES.**

### **SUBDIVISION USE AND RESTRICTIONS**

**Use:** This offering is for improved lots.

"Improved lot or parcel" means a lot or parcel of a subdivision upon which lot or parcel there is a residential, commercial or industrial building or concerning a contract that has been entered into between a subdivider and a purchaser that obligates the subdivider directly or indirectly through a building contractor, to complete construction of a residential, commercial or industrial building on the lot or parcel within two years from the date on which the contract of sale for the lot is entered into.

**Zoning:** R4

**Conditions, Reservations and Restrictions:** As stated in the recorded Condominium Declaration and as stated in the Articles of Incorporation and Bylaws of the Homeowners' Association.

**PURCHASERS ARE ADVISED THAT THE RECORDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THIS SUBDIVISION PROVIDES FOR AN ARCHITECTURAL CONTROL COMMITTEE.**

**Restrictions and Other Matters of Record:** Conditions, reservations and restrictions that may run with the land including City or County zoning restrictions should be investigated by you. Copies of those items which are recorded may be inspected at the Office of the Maricopa County Recorder. Information about zoning may be obtained at the Office of the City of Scottsdale Planning and Zoning Department. Restrictions are recorded as cited in the following title exceptions and per the subdivision plat.



**AIRPORTS**

**Airport:** Phoenix Sky Harbor International Airport, 3400 East Sky Harbor Blvd, Phoenix, Arizona, approximately 4 <sup>3</sup>/<sub>4</sub> miles southwest of the subdivision.

**SUBDIVISION IS LOCATED WITHIN TERRITORY IN THE VICINITY OF PHOENIX SKY HARBOR INTERNATIONAL AIRPORT. FLIGHTS MAY PRODUCE AIRCRAFT NOISE AS A RESULT OF FLIGHT OPERATIONS.**

**TITLE**

**Title to this subdivision** is vested in Luxian Villas on Camelback, LLC, an Arizona limited liability company.

**Subdivider's interest in** this subdivision is evidenced by Fee Title.

**Title is subject**, among other things, to all taxes, assessments, covenants, conditions, restrictions, limitations, reservations, rights, obligations, powers, easements, rights of way, liens, and charges of record. **YOU SHOULD INVESTIGATE THE TITLE AND SATISFY YOURSELF AS TO WHAT EFFECT, IF ANY, THESE MATTERS MAY HAVE ON THE USE OF THE LAND.** Title exceptions affecting the condition of title are listed in the Preliminary Title Report dated April 17, 2019 issued by FIRST AMERICAN TITLE INSURANCE COMPANY. **You should obtain a title report and determine the effect of the listed exceptions.**

**EXCEPTIONS: SEE EXHIBIT "A" ATTACHED**

**METHOD OF SALE OR LEASE**

**Sales:** Sales will be made via the execution of the Seller's standard Agreement of Sale. Title will be conveyed via Special Warranty Deed.

Cash sales are permitted. Purchaser's deposits and earnest monies will be deposited into seller's general account and can be used by Seller upon deposit, for business purposes only, as deemed appropriate by company.

**PROSPECTIVE PURCHASERS ARE ADVISED THAT EARNEST MONEY DEPOSITS, DOWN PAYMENTS AND OTHER ADVANCED MONEY WILL NOT BE PLACED IN A NEUTRAL ESCROW. THIS MONEY WILL BE PAID DIRECTLY TO THE SELLER AND MAY BE USED BY THE SELLER. THIS MEANS THE PURCHASER ASSUMES A RISK OF LOSING THE MONEY IF THE SELLER IS UNABLE OR UNWILLING TO PERFORM UNDER THE TERMS OF THE PURCHASE CONTRACT.**

**Release of Liens and Encumbrances:** Subdivider has advised that arrangements have been made with the lender in the aforementioned deeds of trust for the release of an individual lot upon completion of all payments and performance of all the terms and provisions required of the purchaser under the purchase contract between Subdivider and such purchaser.



**Use and Occupancy:** Lot Purchaser will be permitted to use and occupy his Lot upon completion of construction, close of escrow, and recordation of Deed.

**Leasehold Offering:** Will any of the property be leased? ☐ Yes ☒ No

**THE PURCHASE CONTRACT IS A BINDING AGREEMENT. CONTRARY TO THE TERMS AND PROVISIONS OF THE CONTRACT, YOU MAY HAVE ADDITIONAL RIGHTS, REMEDIES AND WARRANTIES PROVIDED BY LAW. READ THOROUGHLY BEFORE SIGNING. IF NOT UNDERSTOOD, SEEK COMPETENT ADVICE PRIOR TO COMMITMENT TO PURCHASE.**

### **TAXES AND ASSESSMENTS**

**Real Property Taxes:** The combined primary and secondary property tax rate for this subdivision for the year 2018 is \$8.736 per \$100.00 assessed valuation. The estimated property tax for an improved lot (lot with dwelling), based on the above tax rate and average sales price of \$1,634,050.00, is \$12,133.80.

**Special District Tax or Assessments:** As disclosed in the Homeowners Association documents (i.e., CC&Rs, Articles of Incorporation and Bylaws), there may be other special assessments, taxes or fees to be paid by purchaser. Please refer to Homeowners Association documents for additional information.

#### **Central Arizona Groundwater Replenishment District ("CAGRDR")**

The subdivision is part of the Member Service Area of the Central Arizona Groundwater Replenishment District ("CAGRDR") pursuant to A.R.S. §48-3774. The CAGRDR is obligated by statute to replenish the groundwater served to its members. The CAGRDR is managed and operated by the Central Arizona Water Conservation District ("CAWCD"), which manages and operates the Central Arizona Project. The CAGRDR collects assessments, set each year by the CAWCD Board, based on the estimated cost of performing the CAGRDR's groundwater replenishment obligations. In the event that the City of Scottsdale would not be able to supply the water necessary for this subdivision, there may a future assessment by CAGRDR to pay the replenishment obligations. Your water provider, the City of Scottsdale, pays the CAGRDR assessment amounts each year based on the estimated cost of performing the CAGRDR's groundwater replenishment obligations. A portion of your water bill will likely be intended to reimburse the City of Scottsdale for a portion of the assessment that the City of Scottsdale pays to CAGRDR. The amount paid by the City of Scottsdale will change from time-to-time. For further information, you may contact the City of Scottsdale at (480) 312-2461 or the CAGRDR at 623-869-2380 or visit the website at [www.cagrd.com](http://www.cagrd.com).

**CAGRDR FPN Number: MSA083A-20190311-01**

**AMOUNT OF TAXES AND ASSESSMENTS SET FORTH ABOVE ARE APPROXIMATE ONLY AND SUBJECT TO CHANGE.**



**YOU ARE ADVISED TO READ THE RECORDED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, ARTICLES OF INCORPORATION AND BYLAWS FOR THIS SUBDIVISION TO DETERMINE THE RIGHTS OF UNIT OWNERS TO PARTICIPATE IN THE CONTROL OF THE PROPERTY OWNERS' ASSOCIATION AND TO DETERMINE THE RIGHTS, DUTIES AND LIMITATIONS OF OWNERS IN AND TO USE OF THEIR UNIT. FURTHER, YOU SHOULD DETERMINE FOR YOURSELF IF SUBDIVIDER'S ARRANGEMENTS AND PLANS FOR THE PAYMENT OF ASSESSMENTS ON UNSOLD UNITS WILL BE SUFFICIENT TO FULFILL THE NEEDS, DEMANDS AND FINANCIAL OBLIGATIONS OF THE ASSOCIATION, AS SET FORTH IN THE DECLARATION AND BYLAWS.**



## EXHIBIT "A"

1. Second installment of 2018 taxes, a lien, payable on or before March 1, 2019, and delinquent May 1, 2019.
2. Taxes for the full year of 2019.  
(The first half is due October 1, 2019 and is delinquent November 1, 2019. The second half is due March 1, 2020 and is delinquent May 1, 2020.)
3. Any charge upon said land by reason of its inclusion in Luxian Villas on Camelback Condominium Owners Association, Inc..
4. Any charge upon said land by reason of its inclusion in Arcadia Water Conservation District.
5. Easements, restrictions, reservations, conditions and set-back lines as set forth on the plat recorded as Book 65 of Maps, Page 38, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
6. Easements, restrictions, reservations, conditions and set-back lines as set forth on the plat recorded as Book 1420 of Maps, Page 13, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
7. All matters set forth in Condominium recorded as 2018-0930673 of Official Records, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes.
8. Covenants, conditions and restrictions in the document recorded as Docket 1905, Page 134, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes.
9. The terms, conditions and provisions contained in the document entitled "Agreement" recorded February 08, 1963 as Docket 4457, Page 295.
10. The terms, conditions and provisions contained in the document entitled "Agreement" recorded July 14, 1964 as Docket 5128, Page 219.



11. The terms, conditions and provisions contained in the document entitled "Agreement" recorded May 28, 1969 as Docket 7628, Page 616.
12. An easement for constructing and maintaining golf course and incidental purposes, recorded as Docket 1905 and Page 134.
13. All matters as set forth in ALTA/CSM Land Title Survey, recorded as Book 1154 of Maps, Page 8.
14. All matters as set forth in Waiver of Enforcement Rights and Declaration of Restrictions, recorded November 15, 2016 as 2016-0843006 of Official Records.
15. The terms, conditions and provisions contained in the document entitled "Public Improvements Covenant to Construct" recorded March 12, 2019 as 2019-0171650 of Official Records.
16. Water rights, claims or title to water, whether or not shown by the public records.
17. Deed of Trust to secure an indebtedness of \$7,500,000.00, and any other amounts or obligations secured thereby, recorded November 15, 2016 as 2016-0843008 of Official Records.

Dated:	November 15, 2016
Trustor:	Luxian Villas on Camelback, LLC, an Arizona limited liability company
Trustee:	Andrew Abraham, Esq., a member of the State Bar of Arizona
Beneficiary:	Pacific Coach, Inc., an Arizona corporation

Thereafter Assignment of Plans, Specifications and Contracts recorded November 15, 2016 as 2016-0843010, of Official Records.

An Assignment of Leases and Rents recorded November 15, 2016 as 2016-0843009 of Official Records, as additional security for the payment of the indebtedness secured by the Deed of Trust recorded November 15, 2016 as November 15, 2016 of Official Records.



18. Deed of Trust to secure an indebtedness of \$1,200,000.00, and any other amounts or obligations secured thereby, recorded February 20, 2019 as 2019-0116064 of Official Records.

Dated:	February 20, 2019
Trustor:	Luxian Villas on Camelback, LLC, an Arizona limited liability company
Trustee:	J. Lawrence McCormley
Beneficiary:	Pathfinder Crismon, LLC

19. A financing statement recorded February 20, 2019 as 2019-0116065 of Official Records.

Debtor:	Luxian Villas on Camelback, LLC, an Arizona limited liability company
Secured Party:	Pathfinder Crismon, LLC

NOTE: There are no further matters of record concerning this subdivision through the date of this report.