



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  
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COMMISSIONER

## **SUBDIVISION DISCLOSURE REPORT**

(PUBLIC REPORT)

FOR

**Ryder Ranch**

Registration No. DM22-061070

### **SUBDIVIDER**

HBT of Ryder Ranch LLC,  
an Arizona limited liability company  
706 E. Bell Road, Suite 212  
Phoenix, Arizona 85022

Effective Date: April 11, 2022

### **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.

**THIS DEVELOPMENT IS LOCATED WITHIN TERRITORY IN THE VICINITY OF A MILITARY AIRPORT. THE DEPARTMENT MAINTAINS A REGISTRY OF INFORMATION PROVIDED BY THE MILITARY AIRPORT. THE REGISTRY INCLUDES MAPS OF MILITARY FLIGHT OPERATIONS AND A MAP SHOWING THE EXTERIOR BOUNDARIES OF EACH TERRITORY AND HIGH NOISE OR ACCIDENT POTENTIAL ZONE. THIS INFORMATION IS AVAILABLE TO THE PUBLIC ON REQUEST.**

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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 CONTRACTS OR AGREEMENTS FOR THE PURCHASE OF AN UNIMPROVED LOT (WITHOUT A BUILDING)\* MAY BE RESCINDED BY YOU WITHOUT CAUSE BY SENDING OR DELIVERING WRITTEN NOTICE OF RESCISSION BY MIDNIGHT OF THE SEVENTH CALENDAR DAY FOLLOWING THE SIGNING.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:** Lots 1 through 145, inclusive.

**The map of this subdivision** is recorded in Book 1558 of Maps, page 34 records of Maricopa County.

The subdivision is approximately 38.5647 acres in size. It has been divided into 145 Lots and 15 Tracts (A through O, inclusive). 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 southwest corner of Sweetwater Avenue and Cotton Lane, within the City of Surprise, Maricopa County, Arizona.

## **UTILITIES**

**Electricity:** Arizona Public Service (APS), (602) 371-7171, website: [www.aps.com](http://www.aps.com). Subdivider has completed the facilities to the lot lines. 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:** Cox Communications, (623) 594-1000 or (866) 867-7644, website: [www.cox.com](http://www.cox.com). Subdivider has completed the facilities to the lot lines. Cost to complete facilities from lot line to dwelling is included in the purchase price. 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:** Cox Communications, (623) 594-1000 or (866) 867-7644, website: [www.cox.com](http://www.cox.com). Subdivider has completed the facilities to the lot lines. Cost to complete facilities from lot line to dwelling is included in the purchase price. 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** Cox Communications, (623) 594-1000 or (866) 867-7644, website: [www.cox.com](http://www.cox.com). Subdivider has completed the facilities to the lot lines. Cost to complete facilities from lot line to dwelling is included in the purchase price. 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 has completed the facilities to the lot lines. 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:** Epcor Water, (800) 383-0834, website: [www.epcor.com](http://www.epcor.com). Subdivider has completed the facilities to the lot lines. Cost to complete facilities from lot line to dwelling is included in the purchase price. Purchaser's cost to receive this service includes an establishment fee of \$30.00 (during regular business hours) or an establishment fee of \$40.00 (after business hours). A deposit may be required. 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.

**Sewage Disposal:** City of Surprise, (623) 222-7222, website: [www.surpriseaz.gov](http://www.surpriseaz.gov). Subdivider has completed the facilities to the lot lines. 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 \$32.00. A deposit 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.

**Garbage Services:** City of Surprise, (623) 222-7222, website: [www.surpriseaz.com](http://www.surpriseaz.com). Purchaser's cost to receive service includes a monthly fee of approximately \$16.63 per can. 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:** Subdivider has completed the asphalt paved public streets to the minimum standards of the City of Surprise, which has been accepted by the City for maintenance. Costs to purchasers for maintenance are included in the property taxes.

**Access within the Subdivision:** Subdivider has completed the asphalt paved public streets to the minimum standards of the City of Surprise, which has been accepted by the City for maintenance. Costs to purchasers for maintenance are included in the property taxes.

**Street Lights:** Subdivider has completed the street light facilities. Homeowner pays for the cost of electricity through their property taxes. Costs to purchasers for maintenance are included in the property taxes.

**Flood and Drainage:** Subdivider has completed the typical street drainage, retention and drainage tracts, which has been accepted by the City of Surprise (for typical street drainage) and the Homeowners Association (for retention and drainage tracts) for maintenance. Costs to purchasers for maintenance are included in the property taxes (for typical street drainage) and the Homeowners Association assessments (for retention and drainage tracts).

**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:** Sunset Hills Elementary School (K – 8), 17825 West Sierra Montana Loop, Surprise, Arizona 85388, (623) 523-8700, approximately 1 ¼ miles northwest of the subdivision.

**High School:** Shadow Ridge High School (9 - 12), 10909 North Perryville Road, Surprise, Arizona, 85388, (623) 523-5100, approximately 2 miles southwest of the subdivision.

**NOTE:** School boundaries, assignments and school bus transportation are subject to change. Prospective Purchasers should contact the Dysart Unified School District at (623) 876-7002 or visit website: [www.dysart.org](http://www.dysart.org) for verification of schools, current location of schools and bus service. Additional information regarding schools and districts can be found at the following websites: [www.greatschools.net](http://www.greatschools.net) and [www.azed.gov](http://www.azed.gov).

**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.**

Paradise Honors High School, 12775 North 175<sup>th</sup> Avenue, Surprise, Arizona, adjacent to the west of the subdivision.

Legacy Traditional School, 17300 West Cactus Road, Surprise, Arizona, within ¼ mile south of the subdivision.

**Shopping Facilities:** Fry's, 15215 North Cotton Lane, Surprise, Arizona, approximately 1 ½ miles north of the subdivision.

Marley Park Plaza, which includes Bashas', located at 15367 W. Waddell Road, Surprise, Arizona, is approximately 1 ¼ miles East. Fry's Food Store, located 13982 W. Waddell Road, Surprise, Arizona, is approximately 3 mile east; Safeway Grocery Store, located at 13828 W. Waddell Road, Surprise, Arizona is approximately 3 mile east; Wal-Mart Neighborhood Market, located at 14111 N Prasada Gateway Avenue, Surprise, Arizona, is approximately ¼ miles northeast; The Surprise Town Center shopping facility is located at the northeast corner of Bell Road and Litchfield Road, Surprise, Arizona, is approximately 5 miles northeast and includes a Wal-Mart Super Center and a Home Depot and it features more than 40 locally and nationally known stores, banks and restaurants. Target is located within Surprise Marketplace located at the southwest corner of Bell Road and Grand Avenue. Kohl's department store is located approximately 2 ¼ mile southeast at 15357 West Cactus Road, Surprise, Arizona.

Village at Prasada is to open Fall of 2022 – located off Loop 303 and Waddell Road, this area is a 700,000 square foot shopping and entertainment district that will include bowling, shopping, and restaurants. Projected chains include Barrio Queen, Sprouts, OHSO Brewery + Distillery, Walgreens, Walmart, Big O Tires, Burger King, Papa Johns and more.

On the East side of the 303, Costco has just opened at 16385 W Waddell Road, Surprise Arizona, approximately 1 ½ miles northeast of the subdivision along with Whataburger, Red Rock and more.

**Public Transportation:** There is no public transportation available to this subdivision at this time.

**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 their website at [www.ValleyMetro.org](http://www.ValleyMetro.org).**

**Medical Facilities:** Abrazo Surprise Hospital, 16815 West Bell Road, Surprise, (623) 244-2400, approximately 2 ½ miles northeast of the subdivision.

**Fire Protection:** Provided by the City of Surprise Fire Department. Purchaser's cost is included in their property taxes.

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

**Police Services:** Provided by the City of Surprise 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 has completed the play park and will complete the grass open space by August 1, 2022, which will then be accepted by the Homeowners Association for maintenance. Cost to purchasers for maintenance is included in the Homeowners Association fees.

## **ASSURANCES FOR COMPLETION OF IMPROVEMENTS**

**Assurances for Completion of Subdivision Facilities:** Subdivider has provided a bond to assure completion of all subdivision improvements.

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

## **PROPERTY OWNERS ASSOCIATIONS**

**Name and Assessments:** Ryder Ranch Community Association. Property Owners will be required to pay assessments in the amount of \$98.00 per month.

**Control of Association:** Control of the Association will be turned over to the Lot Purchaser on the later to occur of (a) the date the Declarant or a Designated Builder conveys the last Lot to a third-party purchaser or (b) the date that neither Declarant nor any Designated Builder owns any Lot or other portion of the property. The Declarant Control Period shall also terminate upon the date set forth in a written notice signed by Declarant to the Association stating that the Declarant Control Period has terminated.

**Title to Common Areas:** Title to the common areas will be transferred to the Association upon the first closing.

**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 flat.

**Flooding and Drainage:** This subdivision is not subject to known flooding or drainage problems. In a letter dated June 15, 2021, Andrew Jupp, PE, Senior Project Manager, of Kimley Horn, has cited, in part:

“Ryder Ranch is a proposed residential development located within Surprise, Arizona. According to Flood Insurance Rate Map Number 04013C1660L, revised October 16, 2013, the development is located primarily within Flood Zone “X” with eastern portions of the site located within Flood Zone “A”. Federal Emergency Management Agency (FEMA) defines the flood zones for the site area as:

“Other Flood Areas“ Zone X – “Areas of 0.2% annual chance flood; areas of 1% annual chance 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.”

Zone A – Areas with a 1% annual chance of flooding and a 26% chance of flooding over the life of a 30-year mortgage, without base flood information.

A CLOMR (Conditional Letter of Map Revision) has been approved for Ryder Ranch which permits the removal of the Zone “A” designation across all residential dwelling units upon grading construction and contingent upon an approved LOMR (Letter of Map Revision). See CLOMR Case No. 19-09-1654R – Approved May 28, 2020. A LOMR application is planned to be submitted by the developer subsequent to this letter.

As such, all residential dwelling units proposed for Ryder Ranch are anticipated to be located within Zone “X” at or before the receipt of Certificate of Occupancy and should not require flood insurance. The development has been prepared in compliance with the Flood Control District of Maricopa County drainage policies.”

**Soils:** Subdivider advises that the soils have very low expansion potential. In a letter, dated February 23, 2021, Garrett Clatanoff, PE, Geotechnical Engineer, of Alpha Geotechnical & Materials, Inc., has cited, in part:

“The purpose of this investigation was to evaluate the general surface and subsurface conditions at the referenced site, and to present geotechnical design recommendations for foundations, and slab-on-grade for the proposed development.

### **Project Description**

The project consists of mass grading for Ryder Ranch located approximately 0.25 miles north of North Cotton Lane and West Cactus Road in Phoenix, Arizona. This report is for the 145 residential lots located within Ryder Ranch. The proposed construction will include single- and two-story structures to be used as single-family residences without basements. The structures will be supported on shallow spread-type footings, post tension and/or other conventional shallow foundation systems. Alpha has not been provided with structural loads. However, based on our previous experience with similar structures, we estimate the maximum column and wall loads for the structures will be about 20 kips and 1.5 kips per linear foot, respectively.

### **Surface Conditions**

The site consists of pads for single family homes and subgrade for local residential streets that have been compacted and graded. The roadways were not paved, and curb and gutter were not installed at the time of the investigation. A school with a baseball and football field are located to the west of the site. Agricultural fields are located to the east and south. There is undeveloped land to the north. Water mains were being installed at the time of the investigation.

**Subsurface Conditions**

The subsurface soils encountered during the exploration consisted primarily of sandy clay (CL), clayey sand (SC), silty clayey sand (SC-SM), and silty clay (CL-ML). The tested soils contain between 48 and 58 percent fines (material passing the No. 200 sieve), and generally less than 5 percent gravel based on laboratory testing. The soils were typically weakly to moderately cemented. The soils had low to medium plasticity and were typically characterized as soft to hard. Blow counts in this layer were between 8 and refusal (i.e., 50 blows for less than 6-inch interval) with a median blow count of 16.

**Site Drainage**

Positive drainage is essential to the successful performance of any foundation or slab-on-grade. Good surface and subsurface drainage should be established during and after construction to prevent the soils below or adjacent to the building areas from becoming wet. Desert-type landscaping is advisable near buildings and pavement areas. Plants, which require more water, should be located and drained away from the structural and pavement areas.

**Foundations**

Laboratory testing has determined the site soils have expansion indices that range between 7 and 19. Soils with expansion indices less than or equal to 20 are considered to have very low expansion potential per ASTM D4829. The collapse potential for the site soils is slight. However, the potential for damage due to the collapse of the site soils is considered negligible provided that the soil improvement measures are implemented in accordance with the recommendations presented in this report. The site is considered to be Non-Active given the expansion potential. Spread type footings and/or post-tensioned slabs bearing on properly compacted engineered fills may be used to support the structures. We anticipate that total and differential settlements for foundations designed in accordance with the recommendations provided in the attached report, will be within generally acceptable tolerance as presented in the attached report. Additional foundation movements could occur if water from any source infiltrates the foundation soils.

**Land Subsidence and Earth Fissures**

The project site is located within the Luke Study Area based on information accessed at the Arizona Geologic Survey (AZGS) website (2021). The AZGS website indicated an earth fissure, or series of earth fissures, is located approximately 1.5 miles southeast of the project site. The exact location and limits of the fissure(s) are unknown. Surface expressions of the earth fissure(s) were not identified during this investigation.

The project site is in an area with a measured land subsidence of 1 to 2 centimeters over a 10-year period (May 8, 2010 – May 3, 2020) based on information accessed at from the Arizona Department of Water Resources (ADWR) e-Library (2021).

**Conclusion**

Based on our findings, the site is considered suitable for the proposed construction, provided foundation systems are properly designed, specified site grading recommendations are used, and foundation bearing soils are not exposed to moisture infiltration or moisture content fluctuation.”

**Adjacent Lands and Vicinity:**

<b>North:</b>	Multifamily	RH-15
<b>South:</b>	Multifamily	CR
<b>East:</b>	PAD	PAD
<b>West:</b>	School	CR

**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 Surprise Planning & Zoning Department at (623) 222-3000 or the Maricopa County Planning & Development Department at (602) 506-3301 for up-to-date information.**

**North:**

- Fire Station, approximately 1 ½ miles
- Great Eagle Golf Club, approximately 2 ½ miles

**Northeast:**

- Autoshow, approximately ¼ mile
- Bob Stump Memorial Parkway (303), approximately ¾ mile
- Fire Station, approximately 3 miles
- Surprise Stadium, approximately 3 miles

**East:**

- Autoshow, approximately ¼ mile
- Bob Stump Memorial Parkway (303), approximately ½ mile

**Southeast:**

- Bob Stump Memorial Parkway (303), approximately ¾ mile
- Burlington Northern Santa Fe Railroad, approximately 2 ¼ mile
- Northern Parkway, approximately 2 ¾ miles
- Luke Air Force Base, approximately 4 miles

**South:**

- Legacy Traditional School, within ¼ mile
- 200kV power lines running east-west at Cactus Road, approximately ¼ mile
- Fertilazona, approximately 2 ¼ miles

**Southwest:**

- Canal, approximately ¼ mile and approximately 2 ¾ miles
- Beardsley Canal, approximately 2 ¼ miles
- Levee, approximately 2 ½ miles
- Trilby Wash, approximately 2 ½ miles

**West:**

- Paradise Honors High School, adjacent
- Beardsley Canal, approximately 2 miles
- Levee, approximately 2 ¼ miles
- Trilby Wash, approximately 2 ¼ miles

**Northwest:**

- Beardsley Canal, approximately 2 ¾ miles
- Levee, approximately 2 miles
- Trilby Wash, approximately 2 miles
- Surprise Farms Community Park, approximately 1 ¾ miles
- Arizona Traditions Golf Club, approximately 2 ½ miles

**Luke Air Force Base:** Luke Air Force Base is located at Litchfield Road and Glendale Avenue, Glendale, Arizona. The subdivision may be subject to overflights by jet aircraft from Luke Air Force Base. This facility may produce noise, vibrations, fumes, dust, fuel and lubricant particles or other effects of air traffic that may be undesirable to prospective purchasers. For additional information, visit their website at [www.luke.af.mil](http://www.luke.af.mil).

**Schools:** Due to the proximity of schools, lots situated adjacent to or in the vicinity of the schools may experience an increased amount of vehicular and pedestrian traffic, noise, lighting or other effects typically resulting from activities associated with events held at the facility that may be of concern to some individuals.

**Railroads:** Due to the proximity of the Burlington Northern Santa Fe Railway, operation, repair and/or replacement of railroad line may result in noises, odors, dust, vibrations, derailments or other potential nuisances or hazards. For additional information, contact the Public Affairs department for the AZ, CA, NV, and UT territory at (909) 386-4140 or [lena.kent@bnsf.com](mailto:lena.kent@bnsf.com) or visit their website at [www.bnsf.com](http://www.bnsf.com) for further information.

**High Voltage Lines:** 200kV power lines running east-west at Cactus Road, approximately ¼ mile south of the subdivision.

**INFORMATION ON A PROPOSED OR EXISTING TRANSMISSION LINE AND SUBSTATION MAY BE AVAILABLE FROM THE ARIZONA CORPORATION COMMISSION OR FROM THE UTILITY COMPANY. IN ADDITION TO THE ABOVE DISCLOSED INFORMATION, BUYER SHOULD CONTACT THE UTILITY COMPANY FOR FURTHER AVAILABLE INFORMATION WHICH MAY INCLUDE STRUCTURE HEIGHTS, SCHEMATICS OF WHAT THE STRUCTURES WILL LOOK LIKE AND CONSTRUCTION SCHEDULES.**

**Agricultural:** Property adjacent to or in the vicinity of the subdivision is currently agricultural or has been agricultural. Agricultural property may be subject to chemical treatment, including aerial spraying of chemicals, defoliants, pesticides and fertilizers, and the use of farm equipment, which may produce dust, chemicals and particles in the air, unpleasant odors and noise. Irrigation ditches on surrounding properties may pose a safety hazard to unsupervised children and adults. For further information on the future uses of agricultural areas, purchasers should contact the City of Surprise Planning and Development Department.

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

**Natural Gas:** As a result of natural gas facilities available to lots within 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.gov/divisions/safety](http://www.azcc.gov/divisions/safety).

**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).

**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.

**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.**

**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).

**Ongoing Construction Traffic:** During the construction of additional roads, widening of existing roads, and construction of houses, 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 homes may experience an additional amount of noise, lighting, signage, and vehicular and pedestrian traffic typically associated with such activities.

Subdivider has used its best efforts in an attempt to disclose all noteworthy activities and conditions surrounding this subdivision using the resources reasonably available to developer at the time this Public Report was prepared. This information may change from time to time. 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 lot.

**Zoning:** RM6PUD and RM9PUD

**Conditions, Reservations and Restrictions:** As stated in the recorded Declaration of Covenants, Conditions and Restrictions 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.**

**The mineral rights to all lots in this subdivision will not belong to the Purchasers of these lots. The exercise of the right to extract these minerals could affect the use, enjoyment and value of your lot.**

**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 Surprise Planning and Zoning Department. Restrictions are recorded as cited in the following title exceptions and per the subdivision plat.

## **AIRPORTS**

**Military Airport:** Luke Air Force Base is located at 13960 West Eagle Street, Glendale, Arizona, approximately 4 miles southeast of subdivision.

Due to the proximity of these airports and airstrip facilities and operations, this Subdivision may experience noise, odors, dust, traffic, and/or other effects that may be of concern to some individuals. Purchasers are urged to visit the Subdivision and their particular home-site at various times of day and night to experience the impact of current noise levels and other effects. Purchaser is advised to independently investigate this matter.

**SUBDIVISION IS LOCATED WITHIN TERRITORY IN THE VICINITY OF LUKE AIR FORCE BASE. MILITARY FLIGHTS MAY PRODUCE AIRCRAFT NOISE AS A RESULT OF MILITARY FLIGHT OPERATIONS.**

**SEE EXHIBIT “B” ATTACHED**

**NOTE: LUKE AIR FORCE BASE IS AN ACTIVE MILITARY BASE WITH ALL THE ACTIVITIES INVOLVED WITH A MILITARY BASE. PROSPECTIVE PURCHASERS ARE ADVISED TO INVESTIGATE FOR THEMSELVES TO DETERMINE WHAT IMPACT, IF ANY, THE MILITARY BASE MAY HAVE ON THE SUBDIVISION AND/OR THEIR PERSONAL WELL-BEING. FOR ADDITIONAL INFORMATION, CONTACT THE LUKE AIR FORCE BASE PUBLIC AFFAIRS OFFICE AT (623) 856-6011 OR VISIT THEIR WEBSITE AT [www.luke.af.mil](http://www.luke.af.mil).**

**Airport:** Glendale Airport is located at 6801 North Glen Harbor Boulevard, Glendale, Arizona, approximately 8 miles southeast of the subdivision.

## **TITLE**

**Title to this subdivision** is vested in HBT of Ryder Ranch, 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 1, 2022, 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:** Your vested interest/ownership in the property will be evidenced by the Subdivider delivering a recorded Special Warranty Deed to you and by your signing a Promissory Note and Mortgage or Deed of Trust for the unpaid balance. You should read these documents before signing them.

Cash sales are permitted. Purchaser's deposits and earnest monies will be deposited into Seller's general account and can be used by Seller prior to the close of escrow.

**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:** Purchasers will be able to use and occupy their lot upon close of escrow and recordation of Special Warranty 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 2021 is \$11.1653 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 \$425,000.00, is \$4,033.46.

**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 enrolled as a Member Land of the Central Arizona Groundwater Replenishment District (“CAGRDR”) pursuant to A.R.S. §48-3772 and 48-3774. The CAGRDR is managed and operated by the Central Arizona Water Conservation District (“CAWCD”), which manages and operates the Central Arizona Project. The CAGRDR is obligated by statute to replenish the excess groundwater delivered to its members by the municipal water provider. CAGRDR is required to levy an annual replenishment assessment against each parcel of Member Land to pay its replenishment costs and expenses, pursuant to A.R.S. §48-3778. The replenishment assessment is not included in the tax estimates given above. A parcel’s replenishment assessment is based on an assessment rate established annually by the CAWCD Board of Directors, multiplied by the actual volume of excess groundwater reported to be delivered to the parcel in the previous year. Therefore, a parcel’s replenishment assessment will vary from year to year and will likely increase over time. The assessment is included in each parcel owner’s annual property tax statement and is collected by the County Treasurers Office. For further information, you may contact CAGRDR at (623) 869-2243 or visit their website at [www.cagrdr.com](http://www.cagrdr.com).

**CAGRDR FPN Number: ML1392-20210429.01**

**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 LOT 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 LOT. FURTHER, YOU SHOULD DETERMINE FOR YOURSELF IF SUBDIVIDER’S ARRANGEMENTS AND PLANS FOR THE PAYMENT OF ASSESSMENTS ON UNSOLD LOTS 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. Taxes for the full year of 2022.  
(The first half is due October 1, 2022 and is delinquent November 1, 2022. The second half is due March 1, 2023 and is delinquent May 1, 2023 .)
2. Any charge upon said land by reason of its inclusion in Ryder Ranch Community Association.
3. Any charge upon said land by reason of its inclusion in Maricopa County Municipal Water Conservation District No. 1.
4. The right to enter upon said land and prospect to Except one-half of all Oil, Gas and Minerals as reserved in Instrument recorded in Docket 854, Page 212.
5. Easements, restrictions, reservations, conditions and set-back lines as set forth on the plat recorded as Book 1558 of Maps, Page 34, 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. Covenants, conditions and restrictions in the document recorded as 2021-0471086 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.
7. The terms, provisions and easement(s) contained in the document entitled "Access Easement Agreement" recorded August 30, 2005 as 2005-1266812 of Official Records.
8. The terms and provisions contained in the document entitled "Memorandum of Donation Agreement" recorded May 17, 2019 as 2019-0365258 of Official Records.
9. The terms and provisions contained in the document entitled "Agreement and Notice of Municipal Provider Reporting Requirements for Ryder Ranch (ML #003-14-1392) Regarding Membership in the Central Arizona Groundwater Replenishment District" recorded September 19, 2019 as 2019-0738319 of Official Records.
10. Covenants, Conditions and Restrictions as set forth in Declaration of Covenants, Conditions and Restrictions for Ryder Ranch (ML# 003-14-1392) Regarding Membership in the Central Arizona Groundwater Replenishment District recorded in 2019-0738320 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 42 USC 3604(c).

11. The terms and provisions contained in the document entitled "Memorandum of Ryder Ranch Development Agreement" recorded October 14, 2020 as 2020-0981350 of Official Records.
12. The terms and provisions contained in the document entitled "Public Improvements In-Lieu Payment Agreement" recorded December 15, 2020 as 2020-1238116 of Official Records.
13. Water rights, claims or title to water, whether or not shown by the public records.
14. A deed of trust to secure an original indebtedness of \$6,000,000.00, and any other amounts or obligations secured thereby, recorded October 13, 2020 as instrument no. 2020-0977969 of Official Records.

Dated: October 12, 2020

Trustor: HBT of Ryder Ranch LLC, an Arizona limited liability company

Trustee: Zilber Ltd., a Delaware corporation

Beneficiary: Zilber Ltd., a Delaware corporation

(Affects More Property)

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

### EXHIBIT "B"

