



(D) Mailing addresses of offices in Utah:

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2. (A) Name of individual completing this form (if not sub-divider/owner):

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(B) Mailing address:

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City State Zip

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

(c) Agency relationship with sub-divider/owner:

Attorney       Other (specify) \_\_\_\_\_

3. Name, address, and contact information of correspondent, if other than applicant, to whom notice regarding this application and all other communications may be sent.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City State Zip

Phone Number: \_\_\_\_\_ Email: \_\_\_\_\_

4. Licensed Utah real estate broker who will conduct offers and sales of the sub-divided lots in Utah.

Name: \_\_\_\_\_ License #: \_\_\_\_\_

5. Number of subdivided lots being registered for sale: \_\_\_\_\_

6. (A) List states in which an application for registration or similar document has been filed:

(1) Has this subdivision been registered with HUD?  Yes  No

(2) List states, if any, in which subdivided land is currently eligible for sale to the public. \_\_\_\_\_

- (B) List states, if any, in which an application for registration or similar document has been withdrawn, denied, revoked, or where any adverse order, judgment, or decree has been entered by any regulatory agency or by any court affecting the subdivided lands.
- \_\_\_\_\_

7. Indicate which of the following inducements or representations will be made in the advertising and marketing of lot purchases. If the answers to any of Questions A through I below is "Yes," submit complete details concerning the programs marked as Exhibit 7. Include details of financial arrangements such as a bond, letter of credit, or escrow of developer's funds to carry out these programs where applicable.

- (A) Investment merit or appreciation potential of subdivided lands or uses?

Yes  No If yes, the details submitted should include facts and statistics in the form of an economic feasibility report or similar research, appraisal report, and samples of proposed investment representations, in support of the proposed representations.

- (B) Money-back guarantee or repurchase warranty?  Yes  No

- (C) Construction or equipment guarantees, including guarantees to repair latent construction defects, beyond manufacturer's warranty?  Yes  No

- (D) Gift, free trip, discounted purchase price, or similar promotional device?  
 Yes  No

- (E) Membership in club or association other than home owners association?  
 Yes  No

- (F) The use or availability for use of commercial or recreational facilities (whether within or outside the boundaries of the subdivision) which will not be owned or controlled by the home owners association?  Yes  No

- (G) Is a program or arrangement for resale of lots offered by sub-divider/owner?  
 Yes  No

- (H) Is a program or plan for leasing or renting of lots offered by subdivider/owner?  
 Yes  No

(l) Other \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\* If the advertisement promotes gifts and other awards in connection with attending a sales presentation, the advertisement shall disclose the odds of winning or receiving the gift or award.

### REQUIRED STATEMENTS AND EXHIBITS

Note: If this form is filed as a consolidated registration statement, all of the required statements and exhibits may, where no change has occurred, be incorporated by reference to earlier exhibits filed in a registration statement, annual report, or other filings of record.

8. The sub-divider must provide a narrative description of the promotional plan for the disposition of the subdivided lands, together with copies of all advertising material, which has been prepared for public distribution, by any means of communication.
9. The sub-divider must provide a statement that describes the general topography and physical characteristics of the subdivision, including terrain, soil conditions, flood control, and climate. Also, a statement describing any corrective work, other than fill, that must be performed before particular lots are suitable for construction.
10. The sub-divider must provide a legal description of the subdivided lands for which registration is sought, together with a filed plat, if available, showing the division proposed or made, dimensions of the lots, parcels and relation of the subdivided lands to existing streets or other off-site improvements.
11. The sub-divider must provide a statement of the condition of the title to the subdivided lands, including encumbrances as of a date within 30 days of the date of application. If the subdivided lands are situated in this state, the statement shall be in the form of a title opinion from a title insurer qualified to engage in the title insurance business in this state, or an opinion of an attorney licensed to practice in this state and not a salaried employee, officer, or director of the applicant or owner. If the subdivided lands are situated in another jurisdiction, this statement shall be in the form of an opinion of an attorney licensed to practice in the jurisdiction where the lands are situated and who is not an officer, salaried employee, or director of the applicant or owner.

12. Copies of documents, agreements or statements demonstrating that adequate financial or other arrangements have been made for installation of all streets, sewers, electricity, gas, water, telephone, drainage or other improvements. The following are examples of financial assurances which must be submitted and accepted prior to issuance of the public offering statement: performance bonds, letters of credit of a recognized bank or lending institution, irrevocable contracts backed by cash held in trust, or any other financial security which the Division deems adequate to insure a reasonable likelihood of completion of the plan of development.
13. Copies of documents, agreements or statements demonstrating that adequate financial or other arrangements have been made for completion and maintenance of any community, recreational or other facilities to be included in the offering.
14. The sub-divider must provide a statement and supporting documentation listing the existing zoning and government regulations, and existing or proposed special taxes or assessments which will affect the use of the subdivided lands.
15. The sub-divider must provide copies of all instruments by which his interest in the subdivided lands was acquired, along with a statement of any lien, such as mechanics liens, tax liens, judgement liens, etc., upon the title and copies of the instruments creating the lien.
16. The sub-divider must provide copies of all instruments creating easements, restrictions, or encumbrances other than liens.
17. Provide a copy of the recorded Declaration of Condominium, or Covenants Conditions and Restrictions for the project, or project governing instrument, incorporating all covenants of the grantor or lessor, and the provisions of the plan to include organization of an association for project owners.
18. The sub-divider must provide copies of all instruments delivered to a purchaser evidencing his interest in the subdivision. The sub-divider should also include a summary of any material terms and conditions contained in the instruments, such as, release of encumbrances, forfeiture of earnest money by the buyer, etc. The supporting documentation should include all agreements which a purchaser will be required to sign, including:
  - (A) Binder or deposit receipt;
  - (B) Copies of contracts and all agreements;
  - (C) Copies of any release agreements, if not included in the contract;

- (D) Copies of the deeds to be given to purchasers to convey title;
  - (E) Other instruments the purchaser is required to sign.
19. The sub-divider must provide copies of every public report or public offering statement or any related document that has been filed with, or issued by, any agency of the United States or any state or jurisdiction.
  20. The sub-divider must provide a copy of his current articles of incorporation, or other instruments, which create the trust, partnership, association, etc., and a copy of current bylaws.
  21. The sub-divider must provide three (3) copies of his public offering statement. One copy should be attached as an exhibit, and the others should be loosely inserted.
  22. A certified balance sheet and income and expense statements of the sub-divider as of the end of its last fiscal year, together with an unaudited balance sheet and income and expense statements for the last quarterly period preceding the date of the application. In lieu of the unaudited statements, the sub-divider's certification that his financial condition has not suffered a material adverse change since the audited fiscal report, will be acceptable. Such information for parent, subsidiary, or affiliated companies should be supplied where necessary to determine the financial structure of the sub-divider.
  23. The sub-divider must submit the requested information on the following forms required by the Division:
    - (A) Consent to Service
    - (B) Resolution of the Board of Directors
    - (C) Principal Data Sheet
  24. All of the statements and copies that are required of the sub-divider, shall be included at the end of this form, in numerical order. The number given to each statement or selected group of copies, should correspond to the number of the section in this form, that require the submission of such statement or copies.

25. The undersigned hereby applies for registration/consolidated registration of the above-described subdivided lands, under the law cited above and in consideration thereof, agrees so long as the registration remains in effect, that it will:

(A) Advise the Division of any change prior to registration in Utah in any of the information contained herein or in any of the documents submitted with or as a part of this application.

(B) Furnish within twenty (20) days, all such additional information and documents in respect to the issuer of the subdivision covered by this application as may be requested by the Division, prior to registration or acceptance for filing.

Date \_\_\_\_\_

\_\_\_\_\_  
Name of Sub-divider/Owner

By \_\_\_\_\_

\_\_\_\_\_  
Authorized Officer or Agent

State of \_\_\_\_\_ )

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County of \_\_\_\_\_ )

\_\_\_\_\_, being duly sworn deposes and says: That the statements herein contained, and the documents submitted are full, true and complete, and that he/she is the developer of the real estate subdivision described herein, or that he/she is the officer or agent authorized by the developer of the real estate subdivision described herein, or that he/she is the officer or agent authorized by the developer to complete this annual report.

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public