

**TIERRA GRANDE IMPROVEMENT ASSOCIATION (TGIA)  
HOA DOCUMENT AND DISCLOSURE CERTIFICATE REQUEST**

An HOA must provide the following documents within ten (10) business days after receipt of a written request from a property owner.

In accordance with the New Mexico Homeowners Association Act, the Property Owner and/or his agent \_\_\_\_\_ ("Seller") requests that the Tierra Grande Improvement Association, Inc. (TGIA) furnish the following information no later than \_\_\_\_\_ with respect to the following property:

Street Address \_\_\_\_\_ City \_\_\_\_\_ Zip Code \_\_\_\_\_  
Unit \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_, Tierra Grande Estates or see metes and bounds description attached as Exhibit \_\_\_\_\_, Valencia County \_\_\_\_\_ Socorro County \_\_\_\_\_ New Mexico.

1. **General Information. Note to Seller/Seller's Agent:** Check all applicable boxes below.  
**Note to TGIA:** Per the HOA Act, TGIA may ONLY charge the Seller \$.10 (cents) per page COPY expenses associated with the production of the documents in this Section.
- A. Declaration/Notice of TGIA (other than plats and plans) 2 Pages = \$ .20
  - B. Bylaws - 5 Pages = \$\$ .50
  - C. Articles of Incorporation - 6 Pages = \$.60
  - D. Covenants/Indentures, Conditions and Restrictions - 12 Pages = \$ 1.20  
**Total Due For Copies as Applicable: \$2.50**
  - E. **Disclosure - Cost to obtain this Disclosure INCLUDING copies of the above documents is: \$302.50**  
**OR Cost to obtain this Disclosure - opting to download the documents from the TGIA web site is: \$100**  
**Owner declined copies of the above documents opting to download from the TGIA web site \_\_\_\_\_**  
**([www.tierragrande.org](http://www.tierragrande.org) – Owner Info) Initials \_\_\_\_\_**

2. **Disclosure Certificate.**

- A. There    IS or    IS NOT a right of first refusal or other restraint on the free alienability of the Property by TGIA. If there is a right of first refusal or other restraint on the free alienability of the Property, the terms of such are as follows: (i.e. lien, non-compliance with the Protective Covenants) \_\_\_\_\_  
\_\_\_\_\_ See Attached Applicable Documents \_\_\_\_\_
- B. The amount of the ANNUAL common expense assessment is \$ \_\_\_\_\_. The amount of unpaid common expense \_\_\_\_\_ or lien \_\_\_\_\_ fee \_\_\_\_\_ fine \_\_\_\_\_ currently due and payable from the Seller Property owners is: \_\_\_\_\_  
**Per New Mexico Law, a Buyer is not liable for any unpaid assessment or fee greater than the amount prorated to the date of closing.**
- C. The amount of other fees payable by the Seller Property owner is a Title Transfer Fee of \$53 :  
**Per New Mexico Law, a Buyer is not liable for any unpaid assessment or fee greater than the amount prorated to the date of closing.**
- D. The amount of any capital expenditures anticipated by TGIA and approved by the HOA Board of Directors for the current fiscal year and the two next succeeding fiscal years is \$10,000 each year.
- E. The amount of any reserves for capital expenditures and of any portions of those reserves designed by the TGIA for any approved projects is \$100,000
- F. The most recent regularly prepared balance sheet and income and expense statement, if any, of TGIA: Attached hereto as Exhibit   F
- G. The current operating budget of TGIA: Attached hereto as Exhibit   G
- H. Does TGIA have actual knowledge of any unsatisfied judgments or pending suits against TGIA?  
   YES   X   NO. If yes, identify the judgments and/or pending lawsuits and provide the status of any such judgments or suits: \_\_\_\_\_
- I. Does TGIA provide insurance coverage for the benefit of Property Owners and its Board of Directors?  
  X   YES    NO. If yes, describe the policy: TGIA carries Liability Insurance for the Common Areas only and Directors and Officer's Liability Insurance. Attached hereto as Exhibit   G
- J. Is there a leasehold estate effecting TGIA?   NO
- K. The contact person and contact information for TGIA is: Susan Moran, Administrator 505-864-2345  
Tierra Grande Improvement Assn, Inc. PO Box 1388, Rio Communities, NM 87002  
[www.TierraGrande.org](http://www.TierraGrande.org)

**CERTIFICATION IS REQUEST BY:**

By signature hereto: \_\_\_\_\_ Seller \_\_\_\_\_ Seller's Agent \_\_\_\_\_ Seller's Broker

\_\_\_\_\_  
NAME SIGNATURE DATE

**PREPARED BY:**

\_\_\_\_\_  
TGIA Representative NAME SIGNATURE DATE

**Per New Mexico Law this Disclosure Certificate is valid for 60 days from its creation.  
If the owner requests an update at day 61 or later the updated Disclosure Certificate fee is: \$50  
valid for another 60 days from date the most recent update.**

**CERTIFICATION IS DELIVERED TO BUYER:**

By signature hereto: \_\_\_\_\_ Seller \_\_\_\_\_ Seller's Agent \_\_\_\_\_ Seller's Broker

\_\_\_\_\_  
NAME SIGNATURE DATE

**Per New Mexico Law, The Seller is not liable to the buyer for any erroneous information provided by TGIA and included in the Disclosure Certificate.**

**CERTIFICATION OF ACKNOWLEDGED RECEIPT BY BUYER:**

By signature hereto, Buyer acknowledges receipt of the above information.

\_\_\_\_\_  
Buyer's NAME SIGNATURE DATE

\_\_\_\_\_  
Buyer's NAME SIGNATURE DATE

**SELLER's DISCLOSURE OF  
TIERRA GRANDE IMPROVEMENT ASSOCIATION (TGIA)  
HOA DOCUMENTS**

This Disclosure is part of the Purchase Agreement – Residential – Dated: \_\_\_\_\_  
 Between \_\_\_\_\_ & \_\_\_\_\_ (“Buyer”)  
 and \_\_\_\_\_ & \_\_\_\_\_ (“Seller”)  
 and relating to the following Property:  
 Address: \_\_\_\_\_

Street \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Legal Description: Unit \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_ Tierra Grande Estates OR see metes and bounds  
 description attached Exhibit \_\_\_\_\_, Valencia County \_\_\_\_\_ Socorro County \_\_\_\_\_ New Mexico.

The Property is located in Tierra Grande Estates a Landowners Association. TGIA is an organization of landowners of a particular subdivision or planned unit development that has certain rights and obligations as set forth in the community documents. The New Mexico HOA Act governs such entities that are not otherwise governed by the New Mexico Condominium Act. For more information of refer to RANM Form 4600, HOA Information Sheet.

1. **DISCLOSURES OF HOA DOCUMENTS.** The New Mexico HOA Act requires Seller or Seller’s agent/broker to provide the following HOA documents to Buyer. Unless otherwise noted herein, the term “electronic delivery” as used herein refers to deliver of the documents by electronic mail (e-mail). If seller indicates any of the below HOA Documents are “unavailable”, the Seller should complete and the Seller and Buyer should sign RANM Form 4675 – Seller’s Notification of Unavailability of Homeowners’ Association Documents.

|   | <u>Attached Hereto</u> | <u>Date of Electronic Delivery-Available on Web</u> |  |
|---|------------------------|---|--|
| A. Declaration of TGIA<br>(other than the plats and plans)              | Exhibit A              | _____   | Visit: <a href="http://www.TierraGrande.org">www.TierraGrande.org</a><br>Click on: Member Info<br>There you will find TGIA's<br>Governing Documents in<br>PDF format. Paper copies<br>of these documents are<br>mailed to all new members. |
| B. Bylaws of TGIA   | Exhibit B              | _____   |  |
| C. Rules of the TGIA (Articles of Inc.)                                 | Exhibit C              | _____   |  |
| D. Covenants, Conditions / Restrictions<br>(Applicable to the Property) | Exhibit D              | _____   |  |
| E. Disclosure Certificate TGIA  | Exhibit E              | _____   |  |
| F-G. Other Applicable Documents   | Exhibit F/G            | _____   |  |

2. **BUYER'S RIGHT TO TERMINATE THE PURCHASE AGREEMENT.**

- A. **LOA/HOA DISCLOSURE CERTIFICATE:** Per the New Mexico HOA Act, Buyer or Buyer’s agent/broker has the right to terminate the Purchase Agreement within seven (7) days after receiving the **HOA Disclosure Certificate**. If after receiving the HOA Disclosure Certificate, a Buyer elects to terminate the Purchase Agreement such termination shall be without penalty and all earnest money or other fees paid by the Buyer to the Seller before termination will be refunded to Buyer within 15 days. For Buyer to waive any portion of the seven (7) day review period, please see RANM Form 4750 – Buyer’s Waiver of Any Portion of HOA 7-Day Review Period. **IF THERE IS CONFLICT BETWEEN THIS PROVISION AND ANY PROVISION OF THE PURCHASE AGREEMENT; THIS PROVISION SHALL CONTROL.**
- B. **ALL OTHER HOA DOCUMENTS:** Buyer shall have the timeframe provided for in any Purchase Agreement for review of an objection to all HOA Documents listed in Paragraph 1, except the HOA Disclosure Certificate which is governed by Paragraph 2(A) above. In the event Buyer terminates the Purchase Agreement based on Buyer’s review of any HOA Document listed in Paragraph 1, except the HOA Disclosure Certificate, distribution of the earnest money shall be governed by any Purchase Agreement.

**BY THE INITIALS HERETO, BUYER ACKNOWLEDGES THAT BUYER HAS RECEIVED THE FOLLOWING DOCUMENTS EITHER AS EXHIBITS TO THIS ADDENDUM OR IN ELECTRONIC FORM:**

- |   |             |       |
|---|-------------|-------|
| A. Declaration of TGIA<br>(other than the plats and plans)              | Exhibit A   | _____ |
| B. Bylaws of TGIA   | Exhibit B   | _____ |
| C. Rules of TGIA (Articles of Inc.)                                     | Exhibit C   | _____ |
| D. Covenants, Conditions / Restrictions<br>(Applicable to the Property) | Exhibit D   | _____ |
| E. Disclosure Certificate TGIA  | Exhibit E   | _____ |
| F-G. Other Applicable Documents   | Exhibit F/G | _____ |

Visit: [www.TierraGrande.org](http://www.TierraGrande.org)  
 Click on: Member Info  
 There you will find TGIA's  
 Governing Documents in  
 PDF format. Paper copies  
 of these documents are  
 mailed to all new members.

**BUYER**

|              |           |      |
|--------------|-----------|------|
| Buyer's NAME | SIGNATURE | DATE |
| Buyer's NAME | SIGNATURE | DATE |

**SELLER**

|               |           |      |
|---------------|-----------|------|
| Seller's NAME | SIGNATURE | DATE |
| Seller's NAME | SIGNATURE | DATE |