## 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 – HOA Disclosure Link to Documents) 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 <u>\$58</u> 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 <u>\$100,000</u> 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 <u>\$600,000</u>
- 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?
  <u>X</u>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 \_\_\_\_\_
- J. Is there a leasehold estate affecting TGIA? <u>NO</u>
- K. The contact person and contact information for TGIA is: <u>Susan Moran, Administrator 505-864-2345</u> <u>Tierra Grande Improvement Assn, Inc. PO Box 1388, Rio Communities, NM 87002</u> <u>www.TierraGrande.org</u>

## **CERTIFICATION IS REQUEST BY:**

By signature hereto: Seller Seller	eller's Agent Seller's Broker	
NAME	SIGNATURE	DATE
PREPARED BY:		
TGIA Representative NAME	SIGNATURE	DATE
	ertificate is valid for 60 days from its creat 61 or later the updated Disclosure Certific of the most recent update.	
CERTIFICATION IS DELIVERED TO BUY	/ER:	
By signature hereto: Seller	eller's Agent Seller's Broker	
NAME	SIGNATURE	DATE
Per New Mexico Law, The Seller is not I TGIA and included in the Disclosure Ce	iable to the buyer for any erroneous infor rtificate.	mation provided by
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

Updated: 12/19/22

## SELLER'S DISCLOSURE OF TIERRA GRANDE IMPROVEMENT ASSOCIATION (TGIA) HOA DOCUMENTS

This Disclosure is part of the	Purchase A	greement –	Residential - Da	ated:	
Between			k		("Buyer")
and			k		("Seller")
and relating to the following	Property:				
Address:					
Street			City	State	Zip Code
Legal Description: Unit description attached Exhibit	Block , Valen	Lot cia County _		Estates OR se County	e metes and bounds 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.

 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.

	Attached Hereto		Date of Electronic Delivery-Available on Web	
	ration of TGIA than the plats and plans)	Exhibit A		Visit: www.TierraGrande.org
B. Bylaw C. Rules	s of TGIA of the TGIA (Articles of Inc.)			Click on: HOA Disclosure There you will find TGIA's Governing Documents in
(Appl	nants, Conditions / Restriction cable to the Property)	Exhibit D		PDF format.
	sure Certificate TGIA Applicable Documents	Exhibit E 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 PROVISIION 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:

А. В. С. D. F-G	Declaration of TGIA (other than the plats and plans) Bylaws of TGIA Rules of TGIA (Articles of Inc.) Covenants, Conditions / Restriction (Applicable to the Property) Disclosure Certificate TGIA 6. Other Applicable Documents	Exhibit A Exhibit B Exhibit C Is Exhibit D Exhibit E Exhibit F/G	Visit: www.TierraGrande.org Click on: HOA Disclosure There you will find TGIA's Governing Documents in PDF format.
		BUYER	
Buyer's	s NAME	SIGNATURE	 DATE
Buyer's	s NAME	SIGNATURE	DATE
		SELLER	
Seller's	s NAME	SIGNATURE	 DATE
Seller's	s NAME	SIGNATURE	 DATE