STATE OF NEW HAMPSHIRE

CONDOMINIUM ACT

APPLICATION FOR TWENTY-FIVE UNIT EXEMPTION

PURSUANT TO RSA 356-B:49, II AND JUS 1404.02

Section I. Declarant and Condominium Information

Section II. Certificate of Resolution

Section III. Certificate of Appointment

Section IV. Applicant’s Affidavit/Affirmation

Section V. Attorney Affirmation

Section VI. Enforcement Action Information

Applicant must answer all questions and complete all Sections. Any question which is not applicable shall be so designated. Additional pages may be added to permit complete and comprehensive answers. Applicant may provide such further information as is germane and material to describe the proposed offering fully. Please type or print clearly in ink.

A filing fee in the amount of two hundred dollars ($200), payable to the State of New Hampshire, must accompany this application.

EXEMPTION FROM REGISTRATION IS AVAILABLE ONLY FOR PROJECTS OF 25 OR FEWER UNITS. THE CONDOMINIUM MAY NOT BE A CONVERSION OR CONTAIN TIME SHARING INTERESTS. APPLICANTS MUST MEET THE REQUIREMENTS OF N.H. ADMIN. RULE JUS. 1404.02, INCLUDING THE POSTING OF A BOND PURSUANT TO RULE JUS. 1404.02(a) (6) (b), IN ORDER TO FILE THIS APPLICATION. FAILURE TO FILE A COMPLETE APPLICATION IS A VIOLATION AND MAY RESULT IN AN ENFORCEMENT ACTION INCLUDING THE IMPOSITION OF CIVIL PENALTIES AND CRIMINAL SANCTIONS.

APPLICANT MUST IMMEDIATELY NOTIFY THE BUREAU OF ANY MATERIAL CHANGE IN INFORMATION CONTAINED IN THE REGISTRATION APPLICATION.

DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
CONSUMER PROTECTION AND ANTITRUST BUREAU
33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301
TEL. (603) 271-3641
SECTION I

A. IDENTIFICATION OF DECLARANT.

1. State Declarant’s name, address, form, jurisdiction and date of organization, and address of each of its offices in this state.

2. State the name, address, date of birth, and main occupation for the past 5 years of every principal of the declarant. Attach as Appendix A. NOTE: Any institutional lender as defined in Jus 1401.05, which holds title to a condominium or any unit therein by foreclosure or pursuant to foreclosure deed or deed in lieu thereof, shall provide such information only for those employees, officers, or directors who are directly responsible for and who exercise actual authority over the development and/or marketing of interests within such condominium, whether or not such persons are principals of the institutional lender.

3. Is the Declarant properly registered with the New Hampshire Secretary of State to do business in New Hampshire? Yes _____ No _____
   a. If yes, date of registration.
   b. If no, explain.

4. Has the Declarant registered a trade name with the Secretary of State? Yes _____ No _____
   a. If yes, state trade name and date of registration.

5. Has the Declarant filed, or made arrangements to file, quarterly tax estimates relating to the business profits tax (RSA 77-A) with the New Hampshire Department of Revenue Administration? Yes _____ No _____

6. Has the Declarant been affiliated or associated with any other condominium or subdivision, existing or proposed, in New Hampshire or elsewhere? Yes _____ No _____
   a. If yes, identify all such subdivisions and condominiums by name, location and Attorney General file number (if any). Attach as Appendix B.
B. DESCRIPTION OF CONDOMINIUM

7. State the name and location (city or town, county, state) of the condominium that is the subject of this application.
   
   Name:
   
   City or Town:
   
   County:
   
   State:

8. State the number of acres in this filing:

9. State the number of acres in the condominium that may be added by reason of expansion or merger.

10. State the number of units in this filing, and list sequentially the unit numbers as they will appear on the site and floor plans.

11. State the maximum number of units that may be added by reason of expansion or merger.

   NOTE: If the total number of units in the condominium is greater than 25, you may not receive an exemption and you must use a registration application.

12. Does the condominium contain any nonresidential units? Yes _____ No _____

   a. If yes, state the number of such units and describe in detail the permitted use or uses.

13. Does this condominium involve conversion of rental property? Yes _____ No _____

14. Does the condominium involve time sharing interest? Yes _____ No _____

   NOTE: If the condominium involves time sharing, you may not use this form.

15. Has the declarant, its principal, or agents, or any other person offered or disposed of any interest in a condominium unit before obtaining exemption or registration? Yes_____No _____

   a. If yes, submit as Appendix C the name and address of each purchaser and date of offer or disposition. Attach copies of all sale agreements.
16. Is the declarant currently the holder of legal title to the property upon which the condominium will be created? Yes _____ No _____

Will the declarant be the holder of legal title to the condominium property at the time the condominium is created? Yes _____ No _____ Submit as Appendix D a statement of assurance in the form of a title opinion by a licensed attorney not under salary to the declarant that the declarant will be able to convey or cause to be conveyed good and marketable title to the interest in the units offered for disposition.

C. PLAN OF DEVELOPMENT FOR THE CONDOMINIUM

17. Have all applicable federal, state and local approvals been obtained, other than the exemption sought by this application? Yes _____ No ______. If yes, attach copies of such approvals as Appendix E.

18. Submit as Appendix F1 a copy of the condominium declaration.

19. Submit as Appendix F2 a copy of the bylaws.

20. Submit as Appendix F3 copies of any other rules and regulations.

21. What are the existing provisions for access, sewage disposal water and other public utilities in the condominium?

22. a. Does the condominium contain convertible land? Yes _____ No _____

b. Does the condominium contain withdrawable land? Yes _____ No _____

c. Does the condominium contain additional land? Yes _____ No _____

d. Is the condominium a leasehold condominium? Yes _____ No _____

D. IMPROVEMENTS (Complete information must be entered)

23. Improvements which have been completed

<table>
<thead>
<tr>
<th>Description</th>
<th>When Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings Graded</td>
<td></td>
</tr>
<tr>
<td>Roads Paved</td>
<td></td>
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<td>Water System</td>
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<td>Sewerage System</td>
<td></td>
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<tr>
<td>Drainage</td>
<td></td>
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<tr>
<td>Sidewalks, Curbs, Street Lighting</td>
<td></td>
</tr>
<tr>
<td>Electrical Supply</td>
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<tr>
<td>Gas Supply</td>
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</tr>
<tr>
<td>Telephone Service</td>
<td></td>
</tr>
<tr>
<td>Amenities/Recreational Facilities</td>
<td></td>
</tr>
</tbody>
</table>

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24. Improvements which are promised in this phase:

<table>
<thead>
<tr>
<th>Description</th>
<th>Percent Complete</th>
<th>Estimated Cost To Complete</th>
<th>Completion Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Buildings</td>
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</tr>
<tr>
<td>Graded Roads</td>
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<tr>
<td>Paved Roads</td>
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<tr>
<td>Water System</td>
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</tr>
</tbody>
</table>

25. Has the declarant obtained a financing commitment satisfying the standards set forth in JUS. 1405.10?  Yes  No . Submit copies of all financing documents as Appendix G.

26. Has the lender agreed to provide unit purchasers partial releases from the mortgage?  Yes  No  

E. RIGHTS AND OBLIGATIONS OF PURCHASERS

27. Is there any blanket encumbrance or lien, other than that identified in 21 or 22 above, affecting any unit or any common or limited common area in the condominium?  Yes  No . If yes, state the consequences for a purchaser of the declarant’s failure to discharge such encumbrance or lien.

   a. State the consequences for a purchaser of the declarant’s failure to discharge such encumbrance or lien.
28. Has any existing tax, special tax, or assessment which affects the condominium been levied by any governmental entity? Yes _____ No_____. Are any such taxes proposed to be levied by any governmental entity? Yes _____ No_____. If the answer to either is yes, describe in detail and explain whether current use taxation (RSA 79-A) applies to the condominium.

29. Describe any initial or recurring fee or charge the purchaser is required to pay because of his purchase or use of any unit in the condominium, or from the maintenance and management of the condominium.

30. Have arrangements other than collection of assessments been made to provide maintenance for the condominium? Yes _____ No_____.
   a. If yes, specify those arrangements for maintenance and submit a copy of any contract for maintenance as Appendix H.

31. State the relationship, if any, between the declarant and managing agency.

32. Has any governmental entity agreed to accept maintenance of roads or other improvements? Yes _____ No_____.
   a. If yes, describe in detail:

33. Have provisions been made in the budget for capital expenditures or major maintenance reserves? Yes _____ No_____. Submit as Appendix I a projected budget for at least the first year of the condominium’s operation. Include the projected monthly common expense assessments for each unit.
34. Submit as Appendix J a copy of the unit purchase and sale agreement. Please note, the purchase and sale agreement must contain the notice of cancellation rights set forth in RSA 356-B:50, II, identify the escrow agent by name and address, and provide for delivery of the warranty deed to the purchaser within 180 days from the date the agreement is signed.

F. PROMOTIONAL PLAN

33. Will all persons offering or selling units be either the declarant or its employees?  
Yes _____  No ______. If no, a real estate license must be obtained by each such person pursuant to RSA 331-A.

34. Name and address of escrow agent having responsibility for holding deposits pursuant to RSA 356-B:57:

Name:  
Address:

g. ENFORCEMENT ACTION

35. Has the declarant or any principal of the declarant been convicted of a crime within the last 10 years that, if committed in New Hampshire, would constitute a felony? Yes _____  No ______

36. Has the declarant or any principal of the declarant been the subject of a cease and desist order, revocation, injunction or similar enforcement order relating to illegal condominium or land sales activity in New Hampshire or elsewhere? Yes _____  No ______

37. Has any person or entity who is a principal of the declarant been a principal in an entity that has been convicted of a crime that, if committed in New Hampshire, would constitute a felony or been the subject of an enforcement order as set forth in question 34? Yes _____  No _____

If the answer to any question in this section is yes, the applicant must complete Section VI of this application.
SECTION II

CORPORATE
CERTIFICATE OF RESOLUTION

I, of ___________________________ (Name and Title) (Declarant)

hereby certify that the following vote was adopted unanimously at a regularly (or specially) held and called meeting of the Board of Directors of said corporation held on ___________________________

(Date and Year)

ata quorum being present and voting (Address) throughout.

Voted: To authorize ___________________________ to make and file an application for registration with the Office of the Attorney General, Consumer Protection and Antitrust Bureau, State of New Hampshire, pursuant to the provisions of RSA 356-B.

Voted: To authorize an Irrevocable Appointment of the Office of Attorney General, Consumer Protection and Antitrust Bureau, State of New Hampshire, to receive service of any legal process in any non-criminal proceeding arising under RSA 356-B against the declarant or any of its personal representatives.

I, ___________________________, also hereby certify that the above vote has not been amended or altered and that it is presently in full force and effect.

Witness my hand and the seal of said corporation on this ___ day of _____________, 20__.

______________________________________________
(Name/Title)

(Seal)

Subscribed and sworn to before me this ___ day of ________________, 20___.

______________________________________________
Justice of the Peace/Notary Public

(Seal)
PARTNERSHIP OR OTHER BUSINESS ORGANIZATION
CERTIFICATE OF RESOLUTION

I, ____________________________ of ____________________________

(Name/Title) (Declarant)

hereby certify that the following vote was adopted unanimously by the partners or the owners or principals, if other form of business organization, at a meeting held on ____________________________

(Date and Year)

at ____________________________

(Address)

Voted: To authorize ____________________________ to make and file an application for Registration with the Office of the Attorney General, Consumer Protection and Antitrust Bureau, State of New Hampshire, pursuant to the provisions of RSA 356-B.

Voted: To authorize the Irrevocable Appointment of the Office of the Attorney General, Consumer Protection and Antitrust Bureau, State of New Hampshire, to receive service of any legal process in any non-criminal proceeding arising under RSA 356-B against the Declarant or any of its personal representatives.

I, ____________________________, also hereby certify that the above vote has not been amended or altered and that it is presently in full force and effect.

Witness my hand on this _____ day of ____________________________, 20____

______________________________
Name/Title

Subscribed and sworn to before me this_____ day of __________________________, 20____

______________________________
Justice of the Peace/Notary Public

(Seal)
SECTION III

CERTIFICATE OF APPOINTMENT

Pursuant to RSA 356-B:68, ________________________________
(Declarant)

hereby irrevocably appoints the Consumer Protection and Antitrust Bureau, Office of the Attorney
General, State of New Hampshire, agent to receive service of any lawful process in any non-criminal
proceeding arising under RSA 356-B against the declarant or any of his personal representatives.

Witness my hand and seal, if any, of the grantor, on this
_________ day of __________________________, 20______.

______________________________
Name/Title

Subscribed and sworn to before me this ______ day of __________________________, 20______.

______________________________
Justice of the Peace/Notary Public

(Seal)
SECTION IV

APPLICANT’S AFFIDAVIT/AFFIRMATION

I, ____________________________, of ____________________________
(Address)

being duly sworn, depose and say that I am authorized to make and file this application for registration with the Office of Attorney General, Consumer Protection and Antitrust Bureau, State of New Hampshire, and that I have examined said application and the information contained herein, including the documents attached hereto, and certify that the same is, to the best of my knowledge and belief, true, correct and complete in all respects.

________________________________________
(Date) (Signature)

________________________________________
(Title)

STATE OF ________________________________

COUNTY OF ______________________________

Subscribed and sworn to before me this ___ day of ________________________, 20____.

________________________________________
Justice of the Peace/Notary Public

(Seal)
SECTION V

ATTORNEY AFFIRMATION

I, ________________________________, of ________________________________, hereby certify that I am an attorney licensed to practice law in New Hampshire, and that the condominium instruments and other legal documents for ________________________________ located in ________________________________, comply with the provisions of RSA 356-B and the administrative rules thereunder, and that I have advised declarant ________________________________ of the obligations under RSA 356-B and the administrative rules adopted thereunder.

__________________________          __________________________
(Date)                        (Name)

Subscribed and sworn to before me this _______ day of ________________, 20____.

______________________________
Justice of the Peace/Notary Public
SECTION VI

ENFORCEMENT ACTION INFORMATION

Please describe in detail any criminal convictions, civil injunctions, cease and desist orders or other administrative orders issued against the declarant or any principal or the declarant, within the past 10 years. Attach additional pages in necessary.