



1 qualified electors at an election held on the first Tuesday following the  
2 first Monday in November.

3 B. This section does not apply to an expenditure for a park, parkway,  
4 trail, recreational area or playground that is established, maintained or  
5 administered by a county with a population of more than one million five  
6 hundred thousand persons according to the most recent United States decennial  
7 census and that was not developed primarily for the commercial use of a  
8 private enterprise or ~~collection~~ GROUP of private enterprises. END\_STATUTE

9 Sec. 5. Section 11-1133, Arizona Revised Statutes, as amended by Laws  
10 2013, chapter 50, section 1, is amended to read:

11 START\_STATUTE11-1133. Affidavit of legal value

12 A. Each deed evidencing a transfer of title and any contract relating  
13 to the sale of real property shall have appended at the time of recording an  
14 affidavit of the seller and the buyer to the transaction, or the agent of  
15 either the seller or buyer, or both, in a form approved by the department of  
16 revenue, who shall declare and jointly certify the following information:

- 17 1. The name and address of the buyer and seller.
- 18 2. The name and address where a tax statement may be sent.
- 19 3. The complete legal description of the property.
- 20 4. The situs address, if any, of the property.
- 21 5. The date of sale.
- 22 6. The total consideration paid for the property, the amount of cash  
23 down payment and whether or not the type of financing included cash, a new  
24 third party loan, a new loan from the seller, an assumption of an existing  
25 loan or an exchange or trade of property.
- 26 7. Whether or not the estimated market value of personal property  
27 received by the buyer equals five per cent or more of the total  
28 consideration.
- 29 8. The assessor's parcel number or numbers assigned to the real  
30 property by the county assessor or, in the case of a new parcel or parcels  
31 not yet assigned a parcel number, the parcel number or numbers of the  
32 previous parcel or parcels from which the new parcel or parcels are created.

1           9. The conditions of the transaction including the relationship, if  
2 any, of the parties.

3           10. The use and description of the property and, in the case of a  
4 residential dwelling, whether the property is to be owner-occupied or rented.

5           11. The name and address of the person to contact regarding information  
6 contained on the affidavit.

7           B. If a beneficiary of a foreclosed trustee's deed receives payment  
8 based on private mortgage insurance covering the sale that is in addition to  
9 the proceeds of the sale, the beneficiary shall submit, in a form approved by  
10 the department of revenue, to the county recorder in the county where the  
11 property is located within four months after the date of the trustee's sale a  
12 beneficiary's declaration of additional funds received that contains the  
13 following:

14           1. The county assessor's parcel number or numbers assigned as of the  
15 date of the trustee's sale.

16           2. The name and address of the beneficiary submitting the declaration.

17           3. The date of the trustee's sale.

18           4. The highest bid amount received by the trustee at the trustee's  
19 sale.

20           5. The recording number of the trustee's deed ~~upon~~ ON sale.

21           6. The amount of any additional compensation received by the  
22 beneficiary within ~~six~~ THREE months after the date of the trustee's sale.

23           C. The county recorder shall refuse to record any deed and any  
24 contract relating to the sale of real property if a complete affidavit of  
25 legal value is not appended unless the instrument bears a notation indicating  
26 an exemption pursuant to section 11-1134.

27           D. An affidavit is complete for purposes of this section if all of the  
28 required information is stated on the affidavit form or is indicated on the

Free Conference Committee Amendment to S.B. 1266

- 1 form as "not applicable".END\_STATUTE"
- 2 Renumber to conform
- 3 Amend title to conform

5/8/13  
11:15 AM  
S: SW/rbc