

SUBDIVISION CONDOMINIUM REGISTRATION
SUPPLEMENT TO SECTION 1
(To Be Used as Added Information)

(Description, such as location, areas, capacities, numbers, volumes, or sizes may be stated as approximations or minimums, provided the facilities, when produced nevertheless, substantially conform to such approximations and meet or exceed such minimums.)

1. The maximum number of units that will use facilities in common with the subject condominium or co-operative. (To include any proposed additions to the existing plan).
2. The maintenance expense cost chargeable to each unit for upkeep of the common areas and providing for change in this expense, if number of units, to be offered, are increased.
3. A statement of the plan to dispose of units, if such disposition includes both sale and lease units in the project. Any agreement for a lease, which is to be terminated if there is a sale of the unit, will clearly indicate the obligation of the lessee and offeror concerning the vacating of such lease.
4. Plan of the buildings showing the over-all location of the actual or proposed sites, to include, but not limited to the common area amenities (bike paths, pool, recreation areas, tennis courts, etc.).
5. Individual plans of the different sized units, if there are more than one, showing the size of rooms, and if separate units, can be combined to make up a larger unit.
6. Reference to the volume and page of the recorded condominium or co-operative documents, in which can be found the survey or plat of the condominium or co-operative project. A statement that, if no recording is made, a sketch showing the true location of the units in the project is available for inspection, by the prospective buyer or lessee.
7. The estimated time of completion of the project, or in lieu of this, the individual agreement made with each purchaser or Lessee may include this information. Disclosure of this fact to be in the offering statement.
8. A description of each room and/or enclosed area, which is included as a part of the common area and the responsibility for upkeep of such areas by the association or offeror, is to be clarified in the agreement covering the common area.
9. A description of the recreation facilities, such as a swimming pool, tennis courts, etc., covering the size, location, use by occupants of the condominium units, and such other information necessary for full disclosure, as covered by the agreement for the common area.
10. A description of any articles of personal property that the offeror may be furnishing to the common area, and the reason for furnishing such articles.
11. A description of any articles of personal property furnished to the condominium units, which are to be purchased by prospective buyers or lessees separate from, and not covered by their agreements, or contracts.
12. A statement covering any agreements for a unit or units to be built upon the happening of one or more contingencies identified in accordance with the provisions of paragraphs (3) and (5). A copy of such agreements, as an exhibit, will be included as part of the registration sent to the North Dakota Real Estate Commission
13. Description of the agreement used to sell or lease a unit to: one owner, several owners, such as a time sharing program, a license to use for lease of undetermined period of time, a lease for a specific period of time, and/or such other types of agreements, which concern the ownership or lease of one or more units in the condominium project. A copy of such type or types of agreements for said use is to accompany this registration as an exhibit.
14. If the condominium or co-operative is part of a phase project for which a developers commitment is required, there shall be stated in the Offering Statement that there is a commitment to this effect. A copy of such commitment is to be included in the registration as an exhibit.
15. If the condominium or co-operative is created by conversion of an existing building, the developer shall supply the following additional information:
 - a. The date and type of construction
 - b. A description of the prior use
 - c. Statement as to the condition of the roof, mechanical and electrical, plumbing, and structural elements, which is to be substantiated by a certified architect or engineer. A copy of the certificate is to be included as an exhibit.
 - d. A copy of a certification, by a certified pest control operator, as to whether there is termite infestation, if any, has been properly treated.
 - e. A caveat that there are no warranties, unless they are expressly stated, in writing, by the developer.
16. A copy of any and all documents pertaining to the condominium or co-operative owners or lessees agreement concerning the common area, when the control by any person, other than the owners or lessees is provided for prior to the condominium association taking over the management of the common area, and if any property, which is not a part of the common area is included in a cost to be paid for by the funds reserved for upkeep and replacement of the common area.
17. A summary of the restrictions, if any, concerning the use of condominium or co-operative parcels, particularly as to whether there are any restrictions and to what extent they cover children and pets. A copy of these restrictions is to be included with this registration as an exhibit.
18. If there is any land that is offered, by the developer, to the unit owners or lessees, which is neither owned by the unit owner, nor leased to them, the association or an entity controlled by the unit owner or other persons having the use rights to such lands, a statement shall describe the land and the nature and term of services offered to the owners or lessees. (Golf course memberships - tennis club memberships - etc.)
19. The manner in which needs for utility or other services will be met, including but not limited to, sewage and waste disposal, water, and storm drainage.

20. The arrangements for management of the association and maintenance and operation of the condominium or co-operative property and of other property that will serve the unit owners or lessees as a mandatory condition of unit ownership or lease and a description of each contract for these purposes. A copy of such contracts will be included with the registration as an exhibit and such contracts shall include, but not be limited to the following:
 - a. the names of contracting parties.
 - b. the term of contract.
 - c. the nature of the services included.
 - d. the compensation, stated on a monthly and annual basis, and provisions for increases in the compensation.
 - e. the reference to volumes and pages of such documents, if same has been recorded.
21. An explanation of the manner in which the apportionment of common expense and ownership or use of the common elements or co-operative property has been determined. A copy of this, if an agreement, is to be included with the registration as an exhibit.
22. An estimated budget for operation of the common area and a schedule of the unit owners' or lessees' expenses shall be a part of the Offering Statement and a copy of the same shall be included with the registration as an exhibit. Such estimates shall contain, but not be limited to the following:
 - a. The estimated monthly and annual total expenses of the condominium or co-operative and the association that is collected from unit owners or lessees by assessment or as a part of the lease payment.
 - b. The estimated monthly and/or annual expense that is retained in a reserve for maintenance, repair, or replacement of common areas, and/or units which could be included in the common area owners and lessees agreement. This statement shall include the manner in which such reserve requirements were arrived at to bring about such maintenance, repair, or replacement.
 - c. The estimated items of expense of the condominium or co-operative association unit owners or lessees shall include, but not be limited to the following items, which stated either as an association expense collectible by assessments, or as unit owners' or lessees' expense payable to others than the association:
 1. Expenses for the Association Members:
 - a. administration of the association
 - b. management fees
 - c. maintenance and repair
 - d. rent of recreational or other commonly used facilities
 - e. taxes upon association properties
 - f. insurance
 - g. security provision
 - h. utilities and services charged separately or as used by the owners' or lessees', but paid for by the association
 - i. other expenses
 - j. reserve for deferred or ongoing maintenance, repairs, or replacements as programmed in 20b of the foregoing.
 - k. reserves for depreciation and other purposes (to be defined)
 - l. operating capital
 2. Expenses for the Unit Owner or Lessee:
 - a. Costs for securing rentals for unit owner and for supervision and maintenance of unit, if such is to be included in a unit rental contract, whereby the association is the rental agent. A copy of such owner-rental agent agreements is to be included with the registration as an exhibit
 - b. Rent paid by a unit owner or lessee, to the association for or under any recreational lease or lease of common area facilities that are in excess of the regular assessment charged to the unit owners or lessees by the association
 - c. This accounting is to be made on an annual basis, and is to be audited by an accounting firm not associated with the developer, until such time as the transfer of management of the monies and budget are made from the developer to the condominium or co-operative association made up of the unit owners and lessees. A developer shall not retain the direct supervision and control of the association budget and monies after 60% of the units in the offering have been sold or leased, unless a majority vote of the owners and/or lessees has agreed to allow the developer to retain the supervision and control of such budget and monies.
23. Schedule of estimated closing costs to be paid by the buyer or lessee of a unit and advise as to whether a guaranteed title opinion or title insurance policy will be furnished at the expense of the developer.