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6 CONSUMER DISCLOSURE STATEMENT

6-A WHEN REQUIRED

Every application for subdivision of land shall include, as a part of said application, a Consumer Disclosure Statement provided, however, that this requirement may be waived or modified in whole or in part by the Zoning Administrator where he does not deem such Statement to be material. In any event, such Statement, or approved modification thereof, shall be included as a part of all applications for subdivision in which more than three lots are to be served by one or more private access easements. Unless otherwise modified by the Zoning Administrator, the Consumer Disclosure Statement shall include the following:

6-A-1 The name and address of each person having a beneficial interest in the land proposed to be subdivided and the extent of such interest.

6-A-2 The state of formation and the name and address of the person upon whom legal service may be made, if a corporation, trust, partnership, unincorporated association, or other form or organization has a beneficial interest in said property.

6-A-3 A statement of the condition of the title to the land comprising the subdivision, including all encumbrances, deed restrictions, covenants applicable thereto, and including a reference to all deeds or other instruments by which the current owner acquired title to the property.

6-A-4 A statement as to how consumers purchasing land in the subdivision will be protected with respect to any encumbrances on the property.

6-A-5 (8/17/93) (11/18/03) A statement of the means of access to the property and to lots within the proposed subdivision from a public road. If such access from a (public road is served by private road, a statement of the terms and provisions for maintenance of such road, including a statement that at no time will the County of Clarke or the Virginia Department of Transportation accept responsibility for the upgrading and/or maintenance of such road. If any lots within the proposed subdivision are to be served by one or more private access easements, a statement of the terms and provisions setting forth responsibility for construction and maintenance of such easements, including a statement that at no time will the County of Clarke or the Virginia Department of Transportation accept responsibility for construction, upgrading, or maintenance of such private access easements.

6-A-6 A statement of the availability of sewage disposal facilities, water, electricity, gas, telephone, and fire and police protection, with an estimate of the cost of such to consumers purchasing property in the subdivision.

6-A-7 A statement of the nature of improvements to be made to the property by the subdivider for the benefit of purchasers, and the estimated schedule for completion of said improvements.

6-A-8 Such other information or documents, including financial information, as the Commission or Board may require as being reasonably necessary or appropriate for the protection of consumers.

6-A-9 Where appropriate, copies of covenants, contracts, or other writings whereby provision is made for supplying common necessities and maintaining common areas after development is completed.

6-A-10 Representations made in the Consumer Disclosure Statement shall constitute covenants running to the benefit of purchasers in the subdivision and adjacent landowners and shall be enforceable by such persons.

6-B ADDITIONAL INFORMATION REQUIRED

The Commission may require the subdivider to provide a Consumer Disclosure Statement or to provide additional information or amplification with respect to the Statement, whether or not initially considered material by the Zoning Administrator, where the Commission considers such to be material.

6-C RECORDATION

(4/21/98) The Consumer Disclosure Statement shall be recorded with and shall be considered part of the subdivision plat. The sellers of property, described by a subdivision plat, shall provide a copy of the Statement to all purchasers.