

NOTICE OF INTENTION TO SELL TIMESHARES

INSTRUCTIONS TO DEVELOPER

Please type and return the enclosed "Notice of Intention" form. Be certain that all questions are answered and all requested documentation is attached before submitting the form. The required filing fees must accompany the notice of intention when filed. Current fees are as follows:

- A. For a timeshare plan developed in a single phase, \$500 plus \$10 for each timeshare up to a maximum of \$3,000;
- B. For a timeshare plan developed in two or more phases, \$500 plus \$10 for each timeshare in the first phase and \$5 for each additional timeshare developed in a subsequent phase of the same development, with a maximum fee of \$3,000 for each phase.

Submit the completed typewritten form with all requested documentation fees, (see Fee Transmittal Form 1-A) and other information and direct all future correspondence to:

**Land Development
Oregon Real Estate Agency
530 Center St NE Ste #100
Salem, Oregon 97301
(503) 378-4630**

You may be contacted by the real estate agency for further information or clarification of the material you submit. A public report will be issued when all necessary information has been filed with the real estate commissioner.

IF THE TIMESHARE PLAN HAS BEEN FILED IN ANOTHER STATE AND A PUBLIC REPORT HAS BEEN ISSUED BASED UPON THAT FILING, PLEASE INCLUDE A COPY OF EACH PUBLIC REPORT SO ISSUED. PURSUANT TO ORS 94.828, THE REAL ESTATE COMMISSIONER MAY UTILIZE ANOTHER JURISDICTION'S PUBLIC REPORT SUBJECT TO ANY MODIFICATIONS REQUIRED BY OREGON LAW.

TO THE REAL ESTATE COMMISSIONER OF THE STATE OF OREGON:

NOTIFICATION OF THE INTENT TO SELL TIMESHARES IN THE STATE OF OREGON IS HEREBY SUBMITTED PURSUANT TO THE PROVISIONS OF ORS 94.803 TO 94.945.

1. Provide the name and address of the timeshare accommodations and facilities to be utilized under the timeshare plan:

Name of Accommodations: _____

Located in _____ County at _____
(street) (city, state, zip)

Name of Facilities: _____

Located in _____ County at _____
(street) (city, state, zip)

(DO NOT USE P.O. BOX NUMBER)

2. The total number of timeshares to be sold under this timeshare plan is _____. Provide the identification of each timeshare period by letter, name, number or a combination of letters, names and numbers.

3. Full name of developer _____

Business address _____
(use street address not P.O. Box) ZIP

Mailing address, if different _____

Phone: _____

Residence address _____
(use street address not P.O. Box) ZIP

Phone: _____

4. Full name of Developer's Agent: _____

Business address _____
(use street address not P.O. Box) ZIP

Mailing address, if different _____

Phone: _____

Residence address _____

5. Full name of Designated Managing Entity: _____

Business address _____
(use street address not P.O. Box) ZIP

Mailing address, if different _____

Phone: _____

Residence address _____
(use street address not P.O. Box) ZIP

Phone: _____

6. Full name, business address and residence address of all persons selling the timeshare plan within the State of Oregon. Also indicate if they are licensed to sell real estate in the State of Oregon. (use additional sheets of paper if necessary)

7. Provide the name and address of the person to whom the Public Report should be mailed.

Name: _____

Address: _____

Phone: _____

8. Provide the address within the State of Oregon where developer or his agent will maintain Public Report receipts and records of sales as required by ORS 94.829 and ORS 94.915.

Address: _____

9. Will the timeshare form of ownership be a timeshare estate? [as defined in ORS 94.803 (21)] _____ or a timeshare license? [as defined in ORS 94.803 (23)] _____ (check one).

Do you intend to engage in the presale of timeshares? _____yes _____no

Do you intend to develop this timeshare plan in phases? _____yes _____no. If so, explain.

10. Is or will the timeshare be located in a subdivision _____ or, condominium _____. (check one, if appropriate) If so, see item number 16f for required documentation.
11. Are the accommodations and facilities completed? _____yes _____no
If not, what is the projected schedule for completion?

12. Does the timeshare plan utilize timeshare property which is part of a commercial lodging business used for transient accommodations?. If so, see item number 16p for required documentation. _____ yes _____ no
13. Will this timeshare plan participate in an exchange program? If so, see item number 16g for required documentation.
_____ yes _____ no
14. Has a promotional program been prepared by the developer for the timeshare plan? If so, see item number 16k for required documentation. _____ yes _____ no
15. Submit any other information that is material to the offering, negotiation, purchase, sale, operation or management of the timeshare plan or that, by omission, tends to make the information otherwise disclosed misleading.
16. Submit the following documentation:
- (a) A current title report for the real property underlying the timeshare plan acceptable to the commissioner and a copy of all liens, defects, judgments or other encumbrances affecting title to the property;
 - (b) A copy of any judgment against the developer or managing entity;
 - (c) The status of any pending suit that is material to the timeshare plan in which the developer or managing entity is a party or of which the developer has actual knowledge;
 - (d) A recorded copy of the timeshare instrument or Notice of timeshare Plan;
 - (e) If any portion of the timeshare property is located outside the State of Oregon, a recorded copy of the Notice of Timeshare Plan as required under ORS 94.833.(1).
 - (f) A copy of all documents used or to be used to implement compliance with the Oregon Subdivision and Series Partition Control Law (ORS 92.305 to 92.495) or the Oregon Condominium Act (ORS 100.005 to 100.990).

- (g) If the timeshare plan is participating in an exchange program, copies of information required under OAR 863-30-075 (1) to be supplied to a purchaser.
- (h) If a lien payment trust is not being used and time-share sales will be by a purchase money agreement as defined in 94.890, documentation establishing collection escrows and an authorization to inspect those escrows as set forth in ORS 94.871.
- (i) If Developer is a non-resident, a consent to service form as required by ORS 94.920. "Out of state developers should be aware that their legal rights to enforce business transactions with Oregon purchasers under the Oregon court system may be limited if they have not properly filed under the foreign corporation statutes or the assumed business name statutes and they should consult with their attorney regarding their legal rights in those areas. Additional information can be obtained from the Corporation Division of the Oregon Secretary of State, 255 Capitol St., N.E., Salem, Oregon 97310."
- (j) If engaging in the presale of timeshares, documentation indicating compliance with OAR 863-30-065.
- (k) Any outline of a promotional program to sell timeshares as well as any promotional program materials or advertising.
- (l) Submit an estimated operating budget and schedule of estimated common expenses including any additional charges or common expenses to which purchaser may be subject, whether or not they are in the form of an assessment; the name of any person authorized to change or add to assessments; and the conditions under which those changes or additions may be imposed.
- (m) Submit a copy of any contracts, leases, or timeshare agreements to be signed by the purchaser and a complete description, including all necessary implementing documents, of the methods proposed to be used by the developer in complying with the applicable provisions of ORS 94.871 to 94.876 and 94.881 to 94.900.
- (n) Submit a copy of the rules, limitations, or conditions on the use of the accommodations or facilities available to purchasers and, if use or occupancy of the timeshare property is on a first reserved, first served basis, provide the information required under OAR 863-30-060 (7). Also include any restrictions on the transfer of any timeshare under the plan.
- (o) Submit a complete description, including all necessary implementing documents, of the methods proposed to be used by the developer in compliance with the provisions of ORS 94.843 and include any methods by which the developer may change the managing entity or transfer the control of the managing entity.

- (p) If the timeshare plan utilizes timeshare property which is part of a commercial lodging business used for transient accommodations concurrently with the operation of the timeshare plan, submit the information required under OAR 863-30-060(6).
- (q) Submit a description of any insurance coverage provided for the benefit of a purchaser or a statement that no insurance coverage is provided.

W A R N I N G :

ANY PERSON WHO PROVIDES FALSE INFORMATION OR FAILS TO STATE MATERIAL FACTS PURSUANT TO ORS 94.823 TO OBTAIN A PUBLIC REPORT SHALL BE SUBJECT TO CIVIL PENALTIES AS PROVIDED IN ORS 94.925 AND SUCH CONDUCT IS GROUNDS FOR WITHDRAWAL OF THE PUBLIC REPORT

The above information is true and correct as I verily believe.

Date_____

Developer's signature

Developer's signature