

Phone
(480) 488-4889

NOEL J. HEBETS, PLC

Attorney at Law
2515 North 48th Street #3
Phoenix, Arizona 85008
Noel@NoelHebets.com

Fax
(480) 488-5875

September, 2015

As the following advertisement indicates, the focus of my experience and practice lets me provide valuable assistance to clients who are purchasing, developing or selling land in the natural desert areas around the city, particularly ground that does not go through the formal subdivision process, but is instead divided by a series of “land splits” or “lot splits” and therefore involves many more issues and risks.

Here’s some free legal advice

If you want to live in the desert, not just where is used to be, please note two important differences between: (a.) the formal subdivision process, more commonly used in the city, and (b.) lot-splitting or land splits (the repeated down-splitting of land into smaller and smaller parcels by successive owners) more commonly used in the natural desert areas around the city:

1. The formal subdivision process tends to create more density and eat up more of the natural desert, while land/lot splitting tends to give you bigger lots and leave more natural desert around you.
2. However, the formal subdivision process includes a number of protections for the ultimate buyer, which are not necessarily included with land/lot splits.

So, if the parcel you are purchasing is not located in a formal subdivision, be sure to work with an attorney or other capable real estate professional who is familiar with the issues peculiar to the land/lot split process.

NOEL J. HEBETS, PLC

Noel@NoelHebets.com

ATTORNEY AT LAW

480 488-4889

Over 38 years as an attorney working for directly in or for Arizona’s real estate development and construction industry.

Over 25 years working in a solo practice:

- Generally covering all commercial matters: real estate, construction, small business, corporations, contracts, leases and liens.
- With a major focus on legal issues pertinent to real estate development in the natural desert such as access, lot splitting & well sharing.

In other words, if you are dealing with “*dirt in the desert*”, I’m your man.

My Roles for Clients who are Splitting Ground

If you intend to purchase and “downsplit” land, please take note of how to optimize my services and reduce my costs:

1. Contract Negotiation. Because there are a handful of issues that I deal with through language in the contract, the best time to start with me is when you have located ground you really find desirable but have not signed the contract yet. (Otherwise, I suggest that you put a provision in your offer/contract that allows you a few days for me to review the contract itself.) This is normally not extensive or expensive, and is an optimal time for our “first visit” when I can help you lay out a road map with an efficient route for what else is ahead of you.
2. During Escrow. There are also a few issues that I will tend to during escrow, such as evaluation of the title report, the backup documents, and legal access. Again my involvement is not extensive or expensive.
3. After Closing. After you have closed escrow, (or during escrow if you want to get started early), I will show you what to have your surveyor provide you in terms of surveys and legal descriptions. I will then take his work product and proceed to produce the recordable legal documents you will need in two phases:
 - a. Lot Split Deeds. I will first prepare the lot split deeds needed to split your land, and show you how to quickly and get new assessor’s parcel numbers.
 - b. Other Primary “Governing Documents”. With the new legal descriptions and parcel numbers in hand, I will then prepare any well sharing agreement(s), easement(s), and/or deed restrictions you may need, including CC&Rs that are tailor made to fit your ground. These will then show on the title reports for the lots you then develop and/or sell, and actually help you market that ground and add value to it.

My hourly rate is \$300, but I normally charge a minimum fee of \$2,000.00 for preparation of a Well Sharing Agreement or similar Governing Documents, and will also give a package price for the a group Governing Documents that I do all that the same time, and will give you my best price if you follow the efficient sequence that I have described above.

Finally, for returning clients, please that effective September 1st, 2012 I moved my office into a home-office to the address you see on this letterhead on 48th Street between McDowell and Thomas Road, but my phone, fax and e-mail did not change.

Sincerely,



Noel J. Hebets
NJH:njh

PS: For additional copies of this document and other helpful handouts, or just to find out more about my practice and how to prepare for your first visit, go to my website:

<http://www.noelhebets.com/>