

**NEBRASKA REAL ESTATE COMMISSION**

**Application for Registration Of A  
Membership Campground**

<b>STATE USE ONLY</b>
Receipt # _____
Date Issued _____

This form is for the use of an individual, partnership, limited liability company, firm, corporation or association wishing to offer to sell or sell membership camping contracts and must be submitted by the membership camping operator applicant. Every question must be answered and all attachments included or the application will be returned for completion.

Application Fee . . . . . \$300.00 **FEES NOT REFUNDABLE**

INSTRUCTIONS

Please print or use a typewriter in completing this application. If additional space is needed in answering any questions, use the back of this form and/or a separate sheet of paper and indicate the number of the question to which the information applied. Return completed application, attachments and fee to the Nebraska Real Estate Commission, P.O. Box 94667, Lincoln, NE 68509

Date (Month, Day, Year) \_\_\_\_\_

In compliance with the provisions of the Membership Campground Act, application is hereby made for registration to offer to sell or sell membership camping contracts under this Act and in support of this application, make the following statements:

1. Full name of Membership Camping Operator \_\_\_\_\_

Principal Place of Business Address \_\_\_\_\_

(City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_

Mailing Address, if different \_\_\_\_\_

Telephone Number (\_\_\_\_\_) \_\_\_\_\_

2. If the membership camping operator is not an individual, state:

a. The type of organization (e.g. corporation, limited liability company, partnership) \_\_\_\_\_

b. The date of organization (date organized or incorporated). \_\_\_\_\_

c. State where organized or incorporated. \_\_\_\_\_

d. Names and addresses of each of its offices located in Nebraska. \_\_\_\_\_

e. Attach a copy of the articles of incorporation, articles of organization, partnership agreement, joint venture agreement, etc., which is either in effect or contemplated, of the membership camping operator.

f. Attach of copy of the registered articles of incorporation, of the articles of organization, of the Certificate of Authority to Transact Business in Nebraska, of the trade name registration, or of the Certificate of Limited Partnership as issued by the Nebraska Secretary of State's Office.

3. Full name, address, and principal occupation for the past five years of the membership camping operator (if an individual) or of each director, officer, member, general partner and owner of 25% or more of an interest in the organization and the extent of their interest as of \_\_\_\_\_ . (Date must be within 30 days of filing.)  
(Date)

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4. Full name, business address and residence address of any person who directly or indirectly through one or more intermediaries controls or is controlled by or is under common control with the membership camping operator. **(called an affiliate in the Act)**

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a. Name and address of each officer and director of each affiliate.

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5. Attach a legal description of each campground owned or operated by the membership camping operator which is represented to be available for use by purchasers.

6. a. Provide the location of and a brief description of the amenities at each campground currently available for use by purchasers.

Name & location of Campground

Existing Amenities

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b. If planned amenities are represented as to be available for use by purchasers in the future, provide a list of such planned amenities at each campground and the estimated cost and schedule of completion of those amenities.

Name of Campground

Planned Amenities

Estimated Cost and  
Date of Completion

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7. Provide a list of campgrounds and/or amenities that are or will be available to non-purchasers and the price paid by non-purchasers for use of such facilities.

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8. Provide a description of the membership camping operator's ownership of, or other right to use the campground properties or facilities represented to be available for use by purchasers together with a brief description of any material encumbrance, the duration of any lease, real estate contract, license, franchise or other agreement entitling the membership camping operator to use the property and any material provisions of the agreements which restrict a purchaser's use of the property. If the membership campground operator's interest is other than a fee interest, copies of the lease, real estate contract, license, franchise or other agreement must be attached.

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9. If a blanket encumbrance materially adversely affects a campground, provide a legal description of the encumbrance.

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10. For each property in this state acquired and put into operation by a membership camping operator after January 1, 1991, provide proof of compliance with Section 76-2116's nondisturbance provisions.

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- a. Is the applicant planning to submit a surety bond or letter of credit in lieu of a nondisturbance agreement(s)?     Yes     No
- b. If "Yes", the applicant must contact the commission for instructions on the proper form of bond or letter of credit.

11. Provide a brief description of all payments required of a purchaser under a membership camping contract including initial fees, and any further fees, charges or assessments together with any provisions for changing such fees, charges or assessments.

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12. Provide a description of any restraints on the transfer of membership camping contracts, including a complete description of the terms of any resale agreement or policy.

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13. Provide a brief description of policies relating to the availability of campsites and whether reservations are required.

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14. Provide a brief description of all grounds for forfeiture of a purchaser's membership camping contract.

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15. Attach a copy of each type of membership camping contract to be offered or sold in this state and provide the purchase price of each type and if the price varies, the reason for the variance.

16. Attach a sample of each instrument which a purchaser will be required to execute as well as a copy of the disclosure statement required to be provided.

17. State the total number of membership camping contracts for each campground sold and intended to be sold and the method used to determine the total number of memberships to be sold. Include a statement of commitment that the total number to be sold will not be exceeded unless it is disclosed by an amendment to this registration.

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18. Provide a summary or attach a copy of the articles, by laws, rules, restrictions or covenants regulating the purchaser's use of each campground and the facilities located on each property, and provide a statement of whether and how the articles, by laws, rules, restrictions, or covenants may be changed.

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19. Provide a brief description of any reciprocal agreement allowing purchasers to use camping sites, facilities, or other properties owned or operated by any person other than the membership camping operator with whom the purchaser has entered into a membership camping contract.

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20. Attach copies of financial statements of the membership camping operator prepared in accordance with generally accepted accounting principles including a financial statement for the most recent fiscal year and an unaudited financial statement for the most recent fiscal quarter. The financial statement must include: 1) a balance sheet reporting admitted assets, liabilities, capital and surplus; 2) Cash Flows; 3) a statement of changes in capital and surplus and the accountant's notes to the financial statements. The financial statement must be the report of an independent certified public accountant or the report of an in-house accountant who signs the report affirming that the said statement was prepared in accordance with generally accepted accounting principles and signed by the membership camping operator certifying that said statement fairly represents the condition of the entity. (If financial statement provided is not satisfactory to the commission, applicant will be required to submit a financial statement audited by an independent certified public accountant.)

**IMPORTANT**

THE USE OF FALSE OR MISLEADING INFORMATION OR CONCEALMENT OF MATERIAL FACTS HEREIN OR THE FAILURE TO FILE TIMELY AMENDMENTS ARE GROUNDS FOR THE DENIAL, SUSPENSION, OR REVOCATION OF REGISTRATION.

I, \_\_\_\_\_, in submitting this document, state as follows that I am the membership camping operator named herein who executed the foregoing membership camping contract registration; that I know the contents thereof; that each of the statements made and each of the answers given are true of my own knowledge.

\_\_\_\_\_  
Signature

THE FOLLOWING STATEMENT IS TO BE COMPLETED IF THE MEMBERSHIP CAMPING OPERATOR IS A CORPORATION. ANY OFFICER OF A CORPORATION, OTHER THAN THE PRESIDENT, MUST BE GIVEN AUTHORITY BY MEANS OF A CORPORATE RESOLUTION, PROPERLY EXECUTED, IN ORDER TO SIGN DOCUMENTS IN THE NAME OF THE CORPORATION. A COPY OF THAT RESOLUTION MUST BE FILED WITH THIS APPLICATION.

I, \_\_\_\_\_, in submitting this document, state as follows that I am \_\_\_\_\_, of \_\_\_\_\_ corporation and that I am authorized to execute the foregoing membership camping contract registration on behalf of said corporation; that I know the contents thereof; and that each of the statements made and each of the answers given are true of my own knowledge.

\_\_\_\_\_  
Signature

THE FOLLOWING STATEMENT IS TO BE COMPLETED IF THE APPLICATION IS TO BE SIGNED PURSUANT TO A POWER OF ATTORNEY. A COPY OF THE POWER OF ATTORNEY MUST BE INCLUDED WITH THIS APPLICATION.

I, \_\_\_\_\_, in submitting this document, state as follows that I am authorized to execute the foregoing membership camping contract registration pursuant to a power of attorney; that I know the contents thereof; and that each of the statements made and each of the answers given are true of my own knowledge.

\_\_\_\_\_  
Signature