

AFFORDABLE RESIDENTIAL COMMUNITIES INC

Form 4

January 07, 2005

FORM 4
UNITED STATES SECURITIES AND EXCHANGE COMMISSION
Washington, D.C. 20549

OMB APPROVAL

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Check this box
if no longer
subject to
Section 16.
Form 4 or
Form 5
obligations
may continue.
See Instruction
1(b).

**STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF
SECURITIES**

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934,
Section 17(a) of the Public Utility Holding Company Act of 1935 or Section
30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person *
MERCY EUGENE JR

2. Issuer Name **and** Ticker or Trading
Symbol
AFFORDABLE RESIDENTIAL
COMMUNITIES INC [ARC]

5. Relationship of Reporting Person(s) to
Issuer

(Check all applicable)

(Last) (First) (Middle)
600 GRANT STREET, SUITE 900
(Street)

3. Date of Earliest Transaction
(Month/Day/Year)
01/07/2005

☒ Director ☐ 10% Owner
☐ Officer (give title below) ☐ Other (specify below)

DENVER, CO 80203

4. If Amendment, Date Original
Filed(Month/Day/Year)

6. Individual or Joint/Group Filing(Check
Applicable Line)
☒ Form filed by One Reporting Person
☐ Form filed by More than One Reporting
Person

(City) (State) (Zip)

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

1. Title of Security (Instr. 3)	2. Transaction Date (Month/Day/Year)	2A. Deemed Execution Date, if any (Month/Day/Year)	3. Transaction Code (Instr. 8)	4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5)	5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4)	6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4)	7. Nature of Indirect Beneficial Ownership (Instr. 4)
			Code	V	Amount (A) or (D)	Price	
Common Stock, par value \$.01 per share	01/07/2005		A	257 ⁽¹⁾	A	\$ 14.54	192,541 D
Common Stock, par value \$.01 per share						10,000	I Sue Mercy ⁽²⁾
Common Stock, par value \$.01 per share						1,500	I Andrew Mercy ⁽³⁾

Common
Stock, par
value \$.01
per share

2,047

I

Mercy
1995
Family
Trust ⁽⁴⁾

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

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(9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

1. Title of Derivative Security (Instr. 3)	2. Conversion or Exercise Price of Derivative Security	3. Transaction Date (Month/Day/Year)	3A. Deemed Execution Date, if any (Month/Day/Year)	4. Transaction Code (Instr. 8)	5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5)	6. Date Exercisable and Expiration Date (Month/Day/Year)	7. Title and Amount of Underlying Securities (Instr. 3 and 4)	8. Price of Derivative Security (Instr. 5)	9. Number of Derivative Securities Beneficially Owned Following Report Transaction (Instr. 6)
				Code	V (A) (D)	Date Exercisable	Expiration Date	Title	Amount or Number of Shares

Reporting Owners

Reporting Owner Name / Address	Relationships
	Director 10% Owner Officer Other
MERCY EUGENE JR 600 GRANT STREET, SUITE 900 DENVER, CO 80203	X

Signatures

Scott L. Gesell, by power of attorney for Eugene
Mercy, Jr.

01/07/2005

__Signature of Reporting Person

Date

Explanation of Responses:

* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

- (1) Shares acquired pursuant to ARC's 2003 Equity Incentive Plan as part of the Director compensation plan for service as a Director in 2004.
- (2) Eugene Mercy's spouse, Sue Mercy, holds 10,000 shares of Common Stock which Mr. Mercy may be deemed to beneficially own. Mr. Mercy disclaims beneficial ownership of shares held by Sue Mercy.

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- (3) Eugene Mercy's son, Andrew Mercy, holds 1,500 shares of Common Stock which Mr. Mercy may be deemed to beneficially own. Mr. Mercy disclaims beneficial ownership of shares held by Andrew Mercy.
- (4) Mr. Mercy is trustee of the Mercy 1995 Family Trust, which holds 2,047 of the shares of Common Stock.

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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