

This document has legal consequences.  
If you do not understand it, consult your attorney.

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Form # 2091

1/09

## SELLER'S DISCLOSURE STATEMENT

To be completed by **SELLER** concerning 5512 Funkman 63109 (Property Address)

**Note:** If a Seller knows or suspects some condition which might lower the value of the property being sold or adversely affect the Buyer's decision to buy the property, then the Seller needs to disclose it. This statement will assist a Buyer in evaluating the property being considered. Real estate brokers and agents involved in the sale do not inspect the property for defects, and they cannot guarantee the accuracy of the information in this form.

**TO THE SELLER:** Your truthful disclosure of the condition of your property gives you the best protection against future charges that you violated your legal obligation to a Buyer by concealing a material defect(s), lead-based paint, use as a site for methamphetamine production or storage and/or any other disclosure required by law. Your knowledge of the property prior to your ownership may be relevant. In the case of a material defect, for example, if information that you possess indicates some persistent pattern of a problem not completely remedied, such information should be included in this disclosure in order to achieve full and honest disclosure. Your answers or the answers you fail to provide, either way, may have legal consequences, even after the closing of the sale. This questionnaire should help you meet your disclosure obligation, but it may not cover all aspects of your property. If you know of or suspect some condition which would substantially lower the value of the property, impair the health or safety of future occupants, or otherwise affect a Buyer's decision to buy your property, then use the space at the end of this form to describe that condition.

**TO THE BUYER:** Since these disclosures are based on the Seller's knowledge, you cannot be sure that there are, in fact, no problems with the property simply because the Seller is not aware of them. The answers given by the Seller are not warranties of the condition of the property. Thus, you should condition your offer on a professional inspection of the property. You may also wish to obtain a home protection plan/warranty. Due to the variety of insurance, requirements, products, and arrangements Buyer should contact appropriate party to determine insurance coverage needed.

Conditions of the property that you can see on a reasonable inspection should either be taken into account in the purchase price or you should make the correction of these conditions by the Seller a requirement of the sale contract.

If you sign a contract to purchase the property, that contract, and not this disclosure statement, will provide for what is to be included in the sale. So, if you expect certain items, appliances, or equipment included, you must specify them in the contract.

### SUBDIVISION, CONDOMINIUM, VILLA, CO-OP OR OTHER SHARED COST DEVELOPMENT (if applicable)

- (a) Development Name \_\_\_\_\_ Assessment: \$ \_\_\_\_\_ per:  month  quarter  half-year  year
- (b) Type of Ownership:  Fee-Simple  Condominium  Co-Op
- (c) Assessment includes:
- entrance sign/structure  street maintenance  common ground  snow removal of common area
- snow removal specific to this dwelling  landscaping of common area  landscaping specific to this dwelling
- clubhouse  pool  tennis court  exercise area  reception facility  water  sewer  trash removal
- doorman  cooling  heating  security  other common facility \_\_\_\_\_
- assigned parking space(s): how many \_\_\_\_\_ identified as \_\_\_\_\_  some insurance  real estate taxes
- other specific item(s) \_\_\_\_\_
- Exterior Maintenance of this dwelling covered by Assessment: \_\_\_\_\_

- (d) Are you aware of any existing or proposed special assessments?  Yes  No
- (e) Are you aware of any special taxes and/or district improvement assessments?  Yes  No
- (f) Are you aware of any condition or claim which may cause an increase in assessment or fees?  Yes  No
- (g) Are you aware of any material defects in any common or other shared elements?  Yes  No
- (h) Are you aware of any existing indentures/restrictive covenants?  Yes  No
- (i) Are you aware of any violation of the indentures/restrictions by yourself or by others?  Yes  No
- (j) Is there a recorded street/road maintenance agreement?  Yes  No
- (k) Please explain any "yes" answer you gave for (d), (e), (f), (g), (h), or (i) above. \_\_\_\_\_

**HEATING, COOLING AND VENTILATING (Seller is not agreeing that all items checked are being offered for sale.)**

- (a) Type of air conditioning:  Central Electric  Central Gas  Window/Wall (Number of window units \_\_\_\_ )  Other: \_\_\_\_\_
- (b) Source of heating:  Electric  Natural Gas  Propane  Fuel Oil  Other \_\_\_\_\_
- (c) Heating Equipment:  Forced Air  Hot Water Radiators  Steam Radiators  Radiant  Baseboard  Other \_\_\_\_\_
- (d) Areas of house not served by central heating/cooling: \_\_\_\_\_
- (e) Additional:  Humidifier  Electronic Air Filter  Media Filter  Attic Fan  Other: \_\_\_\_\_
- (f) Are you aware of any problems or repairs needed with any item in this section?  Yes  No If "yes", please explain \_\_\_\_\_

**FIREPLACE(S)**

- (a) Type of fireplace:  Wood Burning  Vented Gas logs  Vent Free Gas Logs  Wood Burning Stove
- (b) Type of flues/venting:
  - Functional (properly vented for wood burning and vented gas logs). Number of fireplace(s) \_\_\_\_\_ Location(s) \_\_\_\_\_
  - Non Functional: Number of fireplace(s) \_\_\_\_\_ Location(s) \_\_\_\_\_ Please explain \_\_\_\_\_
- (c) Are you aware of any problems or repairs needed with any item in this section?  Yes  No If "yes", please explain \_\_\_\_\_

**PLUMBING SYSTEM, FIXTURES AND EQUIPMENT**

- (a) Water Heater:  Gas  Electric  Other: \_\_\_\_\_
- (b) Ice maker supply line:  Yes  No
- (c) Jet Tub:  Yes  No
- (d) Lawn Sprinkler System:  Yes  No If yes, date of last backflow device inspection certificate: \_\_\_\_\_
- (e) Are you aware of any problems or repairs needed in the plumbing system?  Yes  No If "yes", please explain. \_\_\_\_\_

**WATER (If well exists, attach Form #2165, Septic/Well Addendum To Seller's Disclosure Statement)**

- (a) What is the source of your drinking water?  Public  Community  Well  Other (explain): \_\_\_\_\_  
please explain: \_\_\_\_\_
- (b) If Public, identify the utility company: \_\_\_\_\_
- (c) Do you have a softener, filter or other purification system?  Yes  No  Owned  Leased/Lease Information \_\_\_\_\_
- (d) Are you aware of any problems relating to the water system including the quality or source of water or any components such as the curb stop box?  Yes  No If "yes", please explain \_\_\_\_\_

**SEWERAGE (If Septic or Aerator exists, attach Form #2165, Septic/Well Addendum To Seller's Disclosure Statement)**

- (a) What is the type of sewerage system to which the house is connected?  Public  Private  Septic  Aerator  Other. If other please explain: \_\_\_\_\_
- (b) Is there a sewerage lift system?  Yes  No If "yes", is it in good working condition?  Yes  No
- (c) When was the septic/aerator system last serviced? \_\_\_\_\_
- (d) Are you aware of any leaks, backups, open drain lines or other problems relating to the sewerage system?  Yes  No If "yes", please explain. \_\_\_\_\_

**APPLIANCES (Seller is not agreeing that all items checked are being offered for sale.)**

- (a) Electrical Appliances and Equipment:  Electric Stove/Range/Cook top  Oven  Built-in Microwave Oven  
 Dishwasher  Garbage Disposal  Trash Compactor  Wired smoke alarms  Electric dryer "hook up"  
 Ceiling Fan(s)  Intercom System  Central Vacuum System  Other \_\_\_\_\_
- (b) Gas Appliances & Equipment:  Oven  Gas Stove/Range/Cook top  Exterior Lights  Barbecue  
 Water heater  Gas dryer "hook up"  Other \_\_\_\_\_
- (c) Other Equipment:  TV Antenna  Cable Wiring  Phone Wiring  Network/Data Wiring  
 Security Alarm System  Owned  Leased /Lease information: \_\_\_\_\_  
 Swimming Pool  Pool Heater  Spa/Hot Tub  Sauna/ Pool/Spa Equipment (list): \_\_\_\_\_  
 Satellite Dish  Owned  Leased/Lease Information: \_\_\_\_\_  
 Electric Garage Door Opener Number of transmitters \_\_\_\_\_
- Electronic Pet Fence System Number of Collars: \_\_\_\_\_  Other: \_\_\_\_\_
- (d) Are you aware of any items in this section in need of repair or replacement?  Yes  No If "yes", please explain. \_\_\_\_\_

**ELECTRICAL**

- (a) Type of service panel:  Fuses  Circuit Breakers
  - (b) Type of wiring:  Copper  Aluminum  Knob and Tube  Unknown
  - (c) Are you aware of any problems or repairs needed in the electrical system?  Yes  No If "yes", please explain. \_\_\_\_\_
- 

**ROOF, GUTTERS AND DOWNSPOUTS**

- (a) What is the approximate age of the roof? \_\_\_\_\_ Years. Documented?  Yes  No
  - (b) Has the roof ever leaked during your ownership?  Yes  No If "yes" please explain. \_\_\_\_\_  
explain \_\_\_\_\_
  - (c) Has the roof been repaired, recovered or any portion of it replaced or recovered during your ownership?  Yes  No If "yes", please
  - (d) Are you aware of any problems with the roof, gutters or downspouts?  Yes  No If "yes", please explain. \_\_\_\_\_
- 

**CONSTRUCTION**

- (a) Are you aware of any problems with the footing, foundation walls, sub-floor, interior and exterior walls, roof construction, decks/porches or other load bearing components?  Yes  No If "yes" please describe in detail. \_\_\_\_\_  
\_\_\_\_\_
- (b) Are you aware of any repairs to any of the building elements listed in (a) above?  Yes  No If "yes", please describe the location, extent, date and name of the person/company who did the repair or control effort. \_\_\_\_\_  
\_\_\_\_\_
- (c) Are you aware that any of the work in (b) above was completed without required permits?  Yes  No
- (d) List all significant additions, modifications, renovations, & alterations to the property during your ownership: \_\_\_\_\_  
\_\_\_\_\_
- (e) Were required permits obtained for the work in (d) above?  Yes  No

**HARDBOARD SIDING**

- (a) Are you aware of any hardboard siding on your property?  Yes  No If "yes", which type? \_\_\_\_\_
  - (b) Are you aware of any claims made against the manufacturer for defects in the siding?  Yes  No Date(s) \_\_\_\_\_
  - (c) Was any money received for the claim?  Yes  No Date(s) \_\_\_\_\_
  - (d) Are you aware of any repairs or replacements made to hardboard siding?  Yes  No Date(s) \_\_\_\_\_
  - (e) Please explain any "yes", answers you gave in this section and give dates. \_\_\_\_\_  
\_\_\_\_\_
- 

**BASEMENT AND CRAWL SPACE (Complete only if applicable)**

- (a)  Sump pit  Sump pit and pump
  - (b) Are you aware of any dampness, water accumulation or leakage, in the basement or crawl space?  Yes  No If "yes", please describe in detail. \_\_\_\_\_  
\_\_\_\_\_
  - (c) Are you aware of any repairs or other attempts to control any water or dampness problem in the basement or crawl space?  Yes  No If "yes", please describe the location, extent, date and name of the person/company who did the repair or control effort  
\_\_\_\_\_
- 

**PESTS OR TERMITES/WOOD DESTROYING INSECTS**

- (a) Are you aware of any pests or termites/wood destroying insects adversely impacting the property and improvements?  Yes  No
  - (b) Are you aware of any uncorrected damage to the property caused by pests or termites/wood destroying insects?  Yes  No
  - (c) Is your property currently under a warranty contract by a licensed pest/termite control company?  Yes  No
  - (d) Are you aware of any pest/termite control reports for the property?  Yes  No
  - (e) Are you aware of any pest/termite control treatments to the property?  Yes  No
  - (f) Please explain any "yes" answers you gave in this section: \_\_\_\_\_  
\_\_\_\_\_
-

**SOIL AND DRAINAGE**

- (a) Are you aware of any fill, expansive soil or sinkholes on the property or that may affect the property?  Yes  No
- (b) Are you aware of any soil, earth movement, flood, drainage or grading problems on the property or that may affect the property?  
 Yes  No
- (c) Are you aware of any past, present or proposed mining, strip-mining, or any other excavations on the property or that may affect the property?  Yes  No
- (d) Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_

**HAZARDOUS SUBSTANCES/OTHER ENVIRONMENTAL CONCERNS**

- (a) Lead: (Note: Production of lead based paint was banned in 1978. See Disclosure of Information and Acknowledgement Lead Based Paint and/or Lead-Based Paint Hazards, form #2049.)
  - (1) Are you aware of the presence of any lead hazards (such as paint, water supply lines, etc.) on the property?  Yes  No
  - (2) Are you aware if it has ever been covered or removed?  Yes  No
  - (3) Are you aware if the property has been tested for lead?  Yes  No If "yes", please give date performed, type of test and test results. \_\_\_\_\_
  - (4) Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_
- (b) Asbestos Materials
  - (1) Are you aware of the presence of asbestos materials on the property, such as roof shingles, siding, insulation, ceiling, flooring, pipe wrap, etc.?  Yes  No
  - (2) Are you aware of any asbestos material that has been encapsulated or removed?  Yes  No
  - (3) Are you aware if the property has been tested for the presence of asbestos?  Yes  No If "yes", please give date performed, type of test and test results: \_\_\_\_\_
  - (4) Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_
- (c) Mold
  - (1) Are you aware of the presence of any mold on the property?  Yes  No
  - (2) Are you aware of anything with mold on the property that has ever been covered or removed?  Yes  No
  - (3) Are you aware if the property has ever been tested for the presence of mold?  Yes  No If "yes", please give date performed, type of test and test results. \_\_\_\_\_
  - (4) Please explain any "yes" answers you gave in this section. \_\_\_\_\_  
\_\_\_\_\_
- (d) Radon
  - (1) Are you aware if the property has been tested for radon gas?  Yes  No If "yes", please give date performed, type of test and test results. \_\_\_\_\_
  - (2) Are you aware if the property has ever been mitigated for radon gas?  Yes  No If "yes", please provide the date and name of the person/company who did the mitigation. \_\_\_\_\_
- (e) Methamphetamine
 

Are you aware if the property is or was used as a lab, production or storage site for methamphetamine or was the residence of a person convicted of crimes related to methamphetamine?  Yes  No If "yes", please explain. \_\_\_\_\_  
\_\_\_\_\_
- (f) Other Environmental Concerns
 

Are you aware of any other environmental concerns that may affect the property such as polychlorinated biphenyls (PCB's), electro-magnetic fields (EMF's), underground fuel tanks, unused septic or storage tanks, etc.?  Yes  No If "yes", please explain. \_\_\_\_\_  
\_\_\_\_\_

**INSURANCE**

Are you aware of any claims that have been filed for damages to the property?  Yes  No If "yes", please provide the following information: date of claim, description of claim, repairs and/or replacements completed. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**MISCELLANEOUS**

- (a) The approximate age of the residence is \_\_\_\_\_ years. The Seller has occupied the property \_\_\_\_\_ years.
- (b) Has the Seller continuously occupied the property during the last twelve months?  Yes  No If "no", please explain. \_\_\_\_\_
- (c) Is the property located in an area that requires an occupancy (code compliance) inspection?  Yes  No If "yes", please explain. \_\_\_\_\_
- (d) Are you aware if this property is located in an area that requires any specific disclosure(s) from the city or county?  Yes  No If "yes", please explain. \_\_\_\_\_
- (e) Is the property designated as a historical home or located in a historic district?  Yes  No If "yes", please explain. \_\_\_\_\_
- (f) Is any portion of the property located within the 100 year flood hazard area (flood plain)?  Yes  No
- (g) Do you have a survey that includes all existing improvements on the property?  Yes  No
- (h) Are you aware of any pets having been kept in or on the property?  Yes  No If "yes" please explain. \_\_\_\_\_
- (i) Is the Buyer being offered a protection plan/home warranty at closing at Seller's expense?  Yes  No
- (j) Are you aware of any inoperable windows or doors, broken thermal seals, or cracked/broken glass?  Yes  No
- (k) Are you aware if carpet has been laid over a damaged wood floor?  Yes  No
- (l) Are you aware of any:
  - Shared or common features with adjoining properties?  Yes  No
  - Rights of way, unrecorded easements, or encroachments, which affect the property?  Yes  No
  - Existing or threatened legal action affecting the property?  Yes  No
  - Violations of local, state, or federal laws/regulations, including zoning, relating to the property?  Yes  No
  - Consent required of anyone other than the signer(s) of this form to convey title to the property?  Yes  No
- (m) Please explain any "yes" answers you gave for (f), (i), (j), (k), or (l) above. \_\_\_\_\_

**Additional comments:**

seller has never occupied property

**SELLER'S ACKNOWLEDGEMENT:**

Seller acknowledges that he has carefully examined this statement and that it is complete and accurate to the best of Seller's knowledge. Seller agrees to immediately notify listing broker in writing of any changes in the property condition. Seller authorizes all brokers and their licensees to furnish a copy of this statement to prospective Buyers.

Martha Baker  
SELLER

01/18/2010  
DATE

[Signature]  
SELLER  
20 JAN 10  
DATE

**BUYER'S ACKNOWLEDGEMENT:**

Buyer acknowledges having received and read this Seller's Disclosure Statement. Buyer understands that the information in this Seller's Disclosure Statement is limited to information of which Seller has actual knowledge. Buyer should verify the information contained in this Seller's Disclosure Statement, and any other important information provided by either Seller or broker (including any information obtained through the Multiple Listing Service) by an independent, professional investigation of his own. Buyer acknowledges that broker is not an expert at detecting or repairing physical defects in property.

BUYER

DATE

BUYER

DATE