

# **- SELLER'S DISCLOSURE STATEMENT**

1. Seller(s) Name(s): Helen Smith  
 Property Address: HC 88 Box 452 Rainelle 25962  
 Is each individual named above a U.S. Citizen or resident alien? Yes ☐ No ☐ Date Purchased: \_\_\_\_\_
2. **NOTICE TO SELLER.** Each Seller is obligated to disclose to a buyer all known facts that materially and adversely affect the value of the property being sold and that are not readily observable. This disclosure statement is designed to assist Seller in complying with disclosure requirements and to assist Buyer in evaluating the property being considered. The listing real estate broker, the selling real estate broker and their respective agents will also rely upon this information when they evaluate, market and present Seller's property to prospective buyers.
3. **NOTICE TO BUYER.** This is a disclosure of Seller's knowledge of the condition of the property as of the date signed by Seller and is not a substitute for any inspections or warranties that Buyer may wish to obtain. It is not a warranty of any kind by Seller or a warranty or representation by the listing broker, the selling broker, or their agents.
4. **OCCUPANCY.** Does seller currently occupy this property? Yes ☐ No ☐ If not, how long since Seller occupied property? \_\_\_\_\_
5. **LAND (SOILS, DRAINAGE AND BOUNDARIES).**
  - a. Is there any fill or expansive soil on the property? Yes ☐ No ☐ Unknown ☒
  - b. Do you know of any sliding, settling, earth movement, upheaval or earth stability problems that have occurred on the property or in the immediate neighborhood? Yes ☐ No ☒
  - c. Is the property located in an earthquake zone? Yes ☐ No ☐ Unknown ☒
  - d. Is the property located in a flood zone or wetlands area? Yes ☐ No ☐ Unknown ☒
  - e. Do you know of any past or present drainage or flood problems affecting the property or adjacent properties? Yes ☐ No ☐
  - f. Do you know of any encroachments, boundary line disputes, or easements affecting the property? Yes ☐ No ☒
 If any of your answers in this section are "Yes," explain in detail: \_\_\_\_\_
6. **ROOF.**
  - a. Age: unknown years.
  - b. Has the roof ever leaked during your ownership? Yes ☐ No ☒
  - c. Has the roof been replaced or repaired during your ownership? Yes ☒ No ☐
  - d. Do you know of any problems with the roof or rain gutters? Yes ☐ No ☒
 If any of your answers in this section are "Yes," explain in detail: \_\_\_\_\_
7. **TERMITES, DRY ROT, PESTS.**
  - a. Do you have any knowledge of termites, dry rot, or pests on or affecting the property? Yes ☐ No ☒
  - b. Do you have any knowledge of any damage to the property caused by termites, dry rot, or pests? Yes ☐ No ☒
  - c. Is your property currently under warranty or other coverage by a licensed pest control company? Yes ☐ No ☒
  - d. Do you know of any termite/ pest control reports or treatments for the property in the last five years? Yes ☐ No ☒
 If any of your answers in this section are "Yes," explain in detail: \_\_\_\_\_
8. **MOLD**
  - a. Are you aware of any past or present mold growth on the property? Yes ☐ No ☒
  - b. Are you aware of any conditions conducive to mold growth, such as dampness, moisture, flooding, water damage or water leaks of any kind? Yes ☐ No ☐ If "Yes," please explain in detail: Basement is sometimes damp
9. **STRUCTURAL ITEMS.**
  - a. Are you aware of any past or present moving, shifting, deteriorating, or other problems with walls or foundations? Yes ☐ No ☒
  - b. Are you aware of any past or present cracks or flaws in the walls or foundation? Yes ☐ No ☒
  - c. Are you aware of any past or present water leakage in the house? Yes ☐ No ☒
  - d. Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls? Yes ☐ No ☒
  - e. Have there been any repairs or other attempts to control the cause or effect of any problem described above? Yes ☐ No ☒
 If any of your answers in this section are "Yes," explain in detail. When describing repairs or control efforts, describe the location, extent, date, and name of the person who did the repair or control effort. \_\_\_\_\_
10. **BASEMENT AND CRAWL SPACES. (Complete only if applicable.)**
  - a. Does the property have a sump pump? Yes ☐ No ☒
  - b. Has there ever been water leakage, accumulation, or dampness within the basement or crawlspace? Yes ☒ No ☐
  - c. Have there been any repairs or other attempts to control any water or dampness problem? Yes ☐ No ☒
 If "Yes," describe the location, extent, date, and name of the person who did the repair or control effort: \_\_\_\_\_
11. **ADDITIONS/ REMODELS.**
  - a. Have you made any additions, structural changes, or other alterations to the property? Yes ☒ No ☐  
 If "Yes," did you obtain all necessary permits and approvals and was all the work in compliance with building codes? Yes ☐ No ☐ If "No," explain in detail: not sure - put back porch on.
  - b. Did any former owners of the property make any additions, structural changes, or other alterations to the property? Yes ☐ No ☐ Unknown ☐ If "Yes," was all work done with all necessary permits and approvals in compliance with building codes? Yes ☐ No ☐ Unknown ☒ If "No," explain in detail: \_\_\_\_\_
12. **PLUMBING-RELATED ITEMS.**
  - a. What is your drinking water source: Public \_\_\_\_\_ Private System \_\_\_\_\_ Well on Property ☒

- b. If drinking water is from a well, when was your water last checked for safety and what was the test result? no
- c. Do you have a water softener? Yes ☐ No ☒ If "Yes," Leased ☐ Owned ☐
- d. What is the type of sewage system?: Public Sewer ☐ Private Sewer ☐ Septic Tank ☒ Cesspool ☐
- e. Is there a sewage pump? Yes ☐ No ☒
- f. When was the septic tank or cesspool last serviced? pumped in 2005
- g. Do you know of any leaks, backups, or other problems relating to any of the plumbing, water, and sewage-related items? Yes ☐ No ☒ If "Yes," explain in detail: \_\_\_\_\_

**13. HEATING AND AIR CONDITIONING.**

- a. Air Conditioning ☐ Central Electric ☐ Central Gas ☐ Window None (#) Units Included in Sale
- b. Heating ☒ Electric ☐ Fuel Oil ☐ Natural Gas ☐ Other: Woodstove - Propene Heater for Kitchen/Dining
- c. Water Heating ☐ Electric ☐ Gas ☐ Solar ☐
- d. Are you aware of any problems regarding these items Yes ☐ No ☒ If "Yes," explain in detail: \_\_\_\_\_

**14. ELECTRICAL SYSTEM.** Are you aware of any problems or conditions that affect the value or desirability of the electrical system? Yes ☐ No ☒ If "Yes," explain in detail: \_\_\_\_\_

**15. OTHER EQUIPMENT AND APPLIANCES BEING SOLD.**

Mark the items included in the sale of your property:

- |  |  |  |
|--|--|--|
| <input type="checkbox"/> Electric Garage Door Opener | <input type="checkbox"/> Number of Transmitters)                                   | <input type="checkbox"/> Security Alarm System ( <input type="checkbox"/> Owned <input type="checkbox"/> Leased) |
| <input type="checkbox"/> Smoke Detectors             | <input type="checkbox"/> Number of Smoke Detectors)                                | <input type="checkbox"/> Lawn Sprinklers <input type="checkbox"/> Automatic Timer                                |
| <input type="checkbox"/> Swimming Pool               | <input type="checkbox"/> Pool Heater <input type="checkbox"/> Spa/ Hot Tub         | <input type="checkbox"/> Pool/Spa Equipment (list): _____  |
| <input type="checkbox"/> Refrigerator                | <input type="checkbox"/> Stove <input type="checkbox"/> Microwave Oven             | <input type="checkbox"/> Washer <input type="checkbox"/> Dryer <input type="checkbox"/> Dishwasher               |
| <input type="checkbox"/> Trash Compactor             | <input type="checkbox"/> Intercom <input checked="" type="checkbox"/> Ceiling Fans | <input type="checkbox"/> Other: _____  |

Are any of these in need of repair or replacement? Yes ☐ No ☐ If "Yes," explain in detail: Woodstove - Old Fridge

**16. NEIGHBORHOOD.** Are you aware of any condition or proposed change in your neighborhood that could adversely affect the value or desirability of the property, such as noise or other nuisance, threat of condemnation or street changes? Yes ☐ No ☒ If "Yes," explain in detail: \_\_\_\_\_

**17. TOXIC SUBSTANCES.**

- a. Are you aware of any underground tanks or toxic substances present on the property (structure or soil) such as asbestos, PCBs, accumulated radon, lead paint, or others? Yes ☐ No ☒ If "Yes," explain in detail: \_\_\_\_\_
- b. Has property been tested for radon or other toxic substances? Yes ☐ No ☒ If "Yes," explain in detail: \_\_\_\_\_

**18. CONDOMINIUMS AND OTHER HOMEOWNERS ASSOCIATIONS**

- a. Is the property part of a condominium or other common ownership or is it subject to covenants, conditions, and restrictions (CC & R's) of a homeowner's association? Yes ☐ No ☒ (If "No," you may continue to section 19).
- b. Is there any defect, damage, or problem with any common elements or common areas which could affect their value or desirability? Yes ☐ No ☒ Unknown ☐
- c. Is there any condition or claim which may result in an increase in assessments or fees? Yes ☐ No ☒ Unknown ☐ If your answer to (b) or (c) is "Yes," explain in detail: \_\_\_\_\_

**19. OTHER MATTERS.**

- a. Is there any existing or threatened legal action affecting the property? Yes ☐ No ☒
- b. Do you know of any violations of local, state, or federal laws or regulations relating to this property? Yes ☐ No ☒
- c. Is there anything else you feel you should disclose to a prospective buyer because it may materially and adversely affect the value or desirability of the property, e.g., zoning violation, non-conforming units, setback violations, zoning changes, road changes, etc.? Yes ☐ No ☒

If any of your answers in this section are "Yes," explain in detail: \_\_\_\_\_

The undersigned Seller represents that the information set forth in the foregoing disclosure statement is accurate and complete. Seller does not intend this disclosure statement to be a warranty or guaranty of any kind. Seller hereby authorizes Mountain State Land & Timber, Inc. to provide this information to prospective buyers of the property and to real estate brokers and sales people. Seller understands and agrees that Seller will notify Mountain State Land & Timber, Inc. in writing immediately if any information set forth in this disclosure statement becomes inaccurate or incorrect in any way through the passage of time.

Seller: Helen Smith Date: 5-28-13 Seller: \_\_\_\_\_ Date: \_\_\_\_\_

**RECEIPT AND ACKNOWLEDGEMENT OF BUYER**

1. I HAVE CAREFULLY INSPECTED THE PROPERTY. I HAVE BEEN ADVISED TO HAVE THE PROPERTY EXAMINED BY PROFESSIONAL INSPECTORS. I ACKNOWLEDGE THAT NEITHER ANY BROKER OR AGENT INVOLVED IN THIS TRANSACTION IS AN EXPERT AT DETECTING OR REPAIRING PHYSICAL DEFECTS IN THE PROPERTY.
2. I UNDERSTAND THAT UNLESS STATED OTHERWISE IN MY CONTRACT WITH SELLER, THE PROPERTY IS BEING SOLD IN ITS PRESENT CONDITION ONLY, WITHOUT WARRANTIES OR GUARANTIES OF ANY KIND BY SELLER OR ANY BROKER OR AGENT. I STATE THAT NO REPRESENTATIONS CONCERNING THE CONDITION OF THE PROPERTY ARE BEING RULED UPON BY ME EXCEPT AS DISCLOSED ABOVE OR STATED WITHIN THE SALES CONTRACT.

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_ Buyer: \_\_\_\_\_ Date: \_\_\_\_\_

THIS IS A LEGALLY BINDING DOCUMENT. IF NOT UNDERSTOOD, PLEASE CONSULT AN ATTORNEY.