Merritt Realty Corporation

SELLER'S REAL PROPERTY DISCLOSURE STATEMENT

1. Seller(s) Name(s) :_____
   Property Address: _____
   Is each individual named above a U.S. Citizen or resident alien? ☐Yes ☐No
   Approximate Age of Property:_____ 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 HE 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 LISITNG BROKER, THE SELLING BROKER, OR THEIR AGENTS. BUYER AGREES TO HOLD REAL ESTATE BROKERS AND THEIR AGENTS HARMLESS FROM ANY NON-DISCLOSURE, OMMISSION, OR MISREPRESENTATION OF SELLER. SELLER SHALL NOT BE OBLIGATED TO REPAIR OR CORRECT ANY ITEM LISTED BELOW UNLESS EXPRESSLY STATED IN THE SALES CONTRACT.

4. OCCUPANCY ☐ ***Section N/A***
   Does Seller currently occupy this property? ☐Yes ☐ No If not, how long has it been since the Seller occupied the property?_____

5. ROOF ☐ ***Section N/A***
   (a) Approximate age: years_____
   (b) Has the roof ever leaked during your ownership? ☐Yes ☐No ☐Unknown
   (c) Has the roof been replaced or repaired during your ownership? ☐Yes ☐No
   (d) Are you aware of any past or present hail or wind damage? ☐Yes ☐No
   (e) Have you ever filed an insurance or manufacturer's claim for roof defects or damage? ☐Yes ☐No
   (f) Do you know of any problems with the roof or rain gutters? ☐Yes ☐No

(g) If any of the answers in this section are "Yes", explain in detail: _____

_____

_____

6. TERMITES, DRY-ROT, PESTS ☐ ***Section N/A***

(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 the property currently under warranty or other coverage by a licensed pest control company? ☐Yes ☐No

(d) Does the warranty cover repairs and treatment? ☐Yes ☐No

(e) Is the warranty transferable to the Buyer? ☐Yes ☐No

(f) Do you know of any termite/pest control reports or treatments for the property in the last 5 years? ☐Yes ☐No

(g) If any of your answers in this section are "Yes" explain in detail: _____

_____

_____

7. STRUCTURAL ITEMS ☐ ***Section N/A***

(a) Are you aware of any present movement, shifting, deterioration, or other problems with walls, floor, Systems or foundations? ☐Yes ☐No

(b) Have you ever filed an insurance or manufacturer's claim for defective or damaged construction materials? ☐Yes ☐No

(c) Are you aware of any past or present cracks or flaws in the walls, floor systems or foundations? ☐Yes ☐No

(d) Are you aware of any past or present water leakage, accumulation, or dampness within the structures located on the property? ☐Yes ☐No

(e) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls on the property? ☐Yes ☐No

(f) Have there been any repairs or attempts to control the cause or effect of any problem above? ☐Yes ☐No ☐Unknown

(g) 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 person who did the repair effort:

_____

_____

8. ADDITIONS/REMODELS ☐ ***Section N/A***

(a) Have you made additions, structural changes, or other alterations to the property? ☐Yes ☐No If "Yes" did you obtain all necessary permits and approvals and was all work in compliance with Building codes? ☐Yes ☐No If your answer "No" explain:_____

_____

(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 your answer is "No" explain:_____
_____

9. ELECTRICAL SYSTEM ☐ ***Section N/A***

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: _____
_____
_____

10. HEATING AND AIR CONDITIONING ☐ ***Section N/A***

Air Conditioning: ☐ Central Electric ☐ Central Gas ☐ Window ____(#) of units included in sale
Heating: ☐ Electric ☐ Fuel Oil ☐ Natural Gas ☐ Other:_____
Water heating: ☐ Electric ☐ Gas ☐ Solar

Are you aware of any problems regarding these items? ☐Yes ☐No If "Yes" explain in detail:
_____
_____

11. PLUMBING-RELATED ITEMS ☐ ***Section N/A***

(a) What is your drinking water source: ☐Public ☐Private System ☐Well on property
(b) What is the water source for your sprinkler system, if applicable?_____
(c) If your drinking water is from a well, when was your water last checked for safety and what was the result of the test?_____
(d) Do you have a water softener? ☐Yes ☐No ☐Leased ☐Owned
(e) What type of sewage system: ☐Public ☐Private Sewer ☐Septic Tank ☐Cesspool
(f) Is there a sewage or sump pump? ☐Yes ☐No
(g) When was the septic tank or cesspool last serviced?_____
(h) Do you know of any leaks, back ups, or other problems relating to any of the plumbing, water, and sewage-related items? ☐Yes ☐No If "Yes", explain in detail:_____
_____

12. OTHER EQUIPMENT AND APPLIANCES BEING SOLD ☐ ***Section N/A***

Mark the items included in the sale of the property: ☐Security Alarm System ☐Owned
☐Leased ☐Monitored ☐Non-Monitored ☐Lawn Sprinklers ☐Smoke Detectors / How Many
_____ ☐Ceiling Fans/ How Many_____ ☐Other _____
Are any of these in need of repair or replacement? ☐Yes ☐No If "Yes" explain in detail:_____
_____

Land Section

13. NEIGHBORHOD

Are you aware of any existing 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 or street changes? ☐Yes ☐No If "Yes" explain in detail: _____
_____

14. TOXIC SUBSTANCES

(a) Are you aware of any underground tanks or toxic substances present on the property(structure or soil) such as asbestos, PCB's accumulated radon, lead paint, above ground or buried oil tanks, or others? ☐Yes ☐No ☐Unknown If "Yes" expalin in detail:_____

_____

_____

(b) Has the property been tested for radon or any other toxic substance? ☐Yes ☐No ☐Unknown If "Yes" explain in detail:_____

_____

15. LAND

(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) Do you currently have flood insurance? ☐Yes ☐No Is the policy assumable? ☐Yes ☐No ☐Unknown

(d) If any of your answers in this section are "Yes" explain in detail:_____

_____

_____

_____

16. SURVEY, EASEMENTS, FLOODING

(a) Has the land been surveyed? ☐Yes ☐No year Surveyed: _____

(b) What company or person performed the survey? _____

(c) Is this platted land? ☐Yes ☐No If yes, has plat been approved by the county and recorded? ☐Yes ☐No

(d) Are there any encroachments or boundary line disputes? ☐Yes ☐No ☐Unknown

(e) Are there any easements other than utility or drainage easements? ☐Yes ☐No ☐Unknown

(f) Are there any unrecorded road and maintenance agreements affecting the property? ☐Yes ☐No ☐Unknown

(g) Is the property in a designated 100 year flood plain or wetlands area? ☐Yes ☐No ☐Unknown

(h) Has there ever been a flood or other disaster at the property? ☐Yes ☐No ☐Unknown

(i) Have there ever been any drainage problems affecting the Property or adjacent properties: ☐Yes ☐No ☐Unknown

(j) Provide details if you answered "Yes" to any of the questions 5 through 10: _____

_____

_____

17. ZONING AND USE RESTRICTIONS

(a) The property is currently zoned: _____

(b) Do any of the following types of covenants, conditions, or restrictions affect the Property:

1. Subdivision or other recorded covenants, conditions, or restrictions? ☐Yes ☐No ☐Unknown
2. A right of first refusal to purchase? ☐Yes ☐No ☐Unknown
3. Local Municipality? ☐Yes ☐No ☐Unknown

(c) If any of the above questions {B(2)} are answered "Yes", do you have written copies of these covenants, conditions or restrictions? ☐Yes ☐No

List which documents you have: _____

_____

(d) Have you ever received notice from any person or authority as to any branch of any breach of these covenants, conditions, or restrictions? ☐Yes ☐No If "Yes" describe:_____

_____

(e) Are there any Indian (Native American) artifacts or other items of historical or archeological significance on the Property? ☐Yes ☐No ☐Unknown If "Yes" describe:_____

_____

18. CONDITION OF THE PROPERTY

(a) Are there any structures, improvements, or personal property included in the sale? ☐Yes ☐No
If "Yes", list all items: _____

_____

(b) Are there any problems or defects with any of these items? ☐Yes ☐No ☐Unknown

(c) Are there any artesian wells, abandoned wells, buried storage tanks, or buried debris or waste on the Property? ☐Yes ☐No ☐Unknown
If "Yes", give details: _____

_____

(d) Have any soils tests been performed on the property? ☐Yes ☐No ☐Unknown
When? _____ By whom?_____
Results? _____

(e) Does the Property have any fill or uncompacted soils? ☐Yes ☐No ☐Unknown If "Yes" describe location and depth:_____

_____

(f) Are there any sinkholes or other settling or soils movement problems on this Property or any adjacent neighboring properties? ☐Yes ☐No ☐Unknown If "Yes", give details: _____

_____

(g) Are there any dead or diseased trees on the Property? ☐Yes ☐No ☐Unknown If "Yes", give details: _____

_____

(h) Do you know of any reason why the Property may not be improved or developed? ☐Yes ☐No ☐Unknown
If "Yes" give details:_____

(i) Has anyone ever been refused a building permit for the Property? ☐Yes ☐No ☐Unknown
If "Yes" give details:_____

_____

19. UTILITIES

(a) Have any percolation tests been performed? ☐Yes ☐No ☐Unknown
When?_____ By whom? _____
Results? _____

(b) Are there any of the following presently existing within the Property

1. Connection to public water ☐Yes ☐No ☐Unknown
2. Connection to public sewer ☐Yes ☐No ☐Unknown
3. Connection to private water system off Property ☐Yes ☐No ☐Unknown
4. A water well ☐Yes ☐No ☐Unknown
5. Septic tank ☐Yes ☐No ☐Unknown

6. Connection to electric utility ☐Yes ☐No ☐Unknown
7. Connection to natural gas service ☐Yes ☐No ☐Unknown

(c) Are any of the following presently existing at the boundary of the Property?

1. Public water system access ☐Yes ☐No ☐Unknown
2. Private water system access ☐Yes ☐No ☐Unknown
3. Electric service access ☐Yes ☐No ☐Unknown
4. Natural gas access ☐Yes ☐No ☐Unknown
5. Telephone system access ☐Yes ☐No ☐Unknown

(d) Have any utility access charges been paid or are any owed? ☐Yes ☐No ☐Unknown
If "Yes" which charges have been paid and what charges are owed? _____
_____

20. OTHER MATTERS

(a) Is there any existing or threatened legal action affecting the property? ☐Yes ☐No ☐Unknown

(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 that 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, nonconforming units, set back violations, zoning changes, road changes, etc.? ☐Yes ☐No If your answer is "Yes", explain in detail: _____
_____
_____
_____

This is a legal binding document, if not understood, consult an attorney.

ACKNOWLEDGEMENT OF SELLER

By signing below, Seller acknowledges and represents that the information in the foregoing. Seller's Property Disclosure Statement is accurate and complete and Seller agrees to notify the listing broker in writing immediately if any of that information becomes inaccurate or incorrect in any way through the passage of time. Seller authorizes all real estate brokers and their agents to provide this information to prospective Buyers.

_____ _____
Seller Date Seller Date

ACKNOWLEDGEMENT OF BUYER

By signing below, buyer acknowledges and represents that Buyer has received this Seller's property Disclosure Statement, has been advised to obtain a professional inspection of the property to evaluate its condition and to verify the information contained herein, and has been advised that real estate brokers and their agents are neither qualified to conduct such professional inspections nor qualified to inspect or detect physical defects in the property.

_____ _____
Buyer Date Buyer Date