

# APPENDIX A. RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT

**Notice to Seller:** Oklahoma Law (the "Residential Property Condition Disclosure Act," Title 60, O.S., Sections 831 et.seq., effective July 1, 1995) requires Sellers of 1 and/or 2 residential dwelling units to complete this form. A Seller must complete, sign and date this disclosure form and deliver it or cause it to be delivered to a Purchaser as soon as practicable, but in any event no later than before an offer is accepted by the Seller. If the Seller becomes aware of a defect after delivery of this statement, but before the Seller accepts an offer to purchase, the Seller must deliver or cause to be delivered an amended disclosure statement disclosing the newly discovered defect to the Purchaser. If the disclosure form or amendment is delivered to a Purchaser after an offer to purchase has been made by the Purchaser, the offer to purchase shall be accepted by the Seller only after a Purchaser has acknowledged receipt of this statement and confirmed the offer to purchase in writing.

**Notice to Purchaser:** The declarations and information contained in this disclosure statement are not warranties, express or implied of any kind, and are not a substitute for any inspections or warranties the purchaser may wish to obtain. The information contained in this disclosure statement is not intended to be a part of any contract between the Purchaser and Seller. The information and statements contained in this disclosure statement are declarations and representations of the Seller and are not the representations of the real estate licensee.

**Instructions to the Seller:** (1) Answer ALL questions. (2) Report known conditions affecting the property. (3) Complete this form yourself. (4) If some items do not apply to your property, circle N/A (not applicable). If you do not know the facts, circle Unk (unknown). (5) The date of completion by you may not be more than 180 days prior to the date this form is received by a purchaser.

**LOCATION OF SUBJECT PROPERTY:** 2801 North Windsor Place, Oklahoma City, OK 73127

**SELLER IS**    **IS NOT**    **OCCUPYING THE SUBJECT PROPERTY.**

**Appliances/Systems/Services:** (The items below are in **NORMAL** working order)

	<b>Circle below</b>					<b>Circle below</b>			
	Yes	No	Unk		Yes	No	Unk		
Sprinkler System	N/A			Unk	Humidifier	N/A			Unk
Swimming Pool	N/A			Unk	Gas Supply	N/A	Yes	No	Unk
Hot Tub/Spa	N/A			Unk	Public <u>  </u> Propane				
Water Heater	N/A	Yes	No	Unk	Butane				
Electric <u>  </u> Gas					Propane Tank	N/A	Yes	No	Unk
Solar					Leased <u>  </u> Owned				
Water Purifier	N/A	Yes	No	Unk	Ceiling Fans	N/A	Yes	No	Unk
Water Softener	N/A	Yes	No	Unk	Electric Air Purifier	N/A	Yes	No	Unk
Leased <u>  </u> Owned					Garage Door Opener/ Control	N/A	Yes	No	Unk
Sump Pump	N/A	Yes	No	Unk	Intercom	N/A	Yes	No	Unk
Plumbing	N/A	Yes	No	Unk	Central Vacuum	N/A	Yes	No	Unk
Whirlpool Tub	N/A	Yes	No	Unk	Security System	N/A	Yes	No	Unk
Sewer System	N/A	Yes	No	Unk	Rent <u>  </u> Own				
<u>  </u> Public <u>  </u> Septic					Monitored				
Lagoon					Smoke Detectors	N/A	Yes	No	Unk
Air Conditioning					Dishwasher	N/A	Yes	No	Unk
System	N/A	Yes	No	Unk	Electrical Wiring	N/A	Yes	No	Unk
<u>  </u> Electric <u>  </u> Gas					Garbage Disposal	N/A	Yes	No	Unk
Heat Pump					Gas Grill	N/A	Yes	No	Unk
Window Air					Vent Hood	N/A	Yes	No	Unk
Conditioner(s)	N/A	Yes	No	Unk	Microwave Oven	N/A	Yes	No	Unk
Attic Fan	N/A	Yes	No	Unk	Built-in Oven/Range	N/A	Yes	No	Unk
Fireplaces	N/A	Yes	No	Unk	Kitchen Stove	N/A	Yes	No	Unk
Heating System	N/A	Yes	No	Unk	Trash Compactor	N/A	Yes	No	Unk
Electric <u>  </u> Gas									
Heat Pump									

Seller's Initials Mc Mc Seller's Initials \_\_\_\_\_  
(OREC-7/08)

Buyer's Initials \_\_\_\_\_ Buyer's Initials \_\_\_\_\_

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Source of Household Water Other Items Yes No Unk
Other Yes No Unk
Public Private Well Yes No Unk Other Yes No Unk

IF YOU HAVE ANSWERED NO to any of the above, please explain. Attach additional pages with your signature(s).

Zoning, Flood and Water

Circle below

- 1. Property is zoned: (Check one) residential commercial historical agricultural industrial office urban conservation other unknown
2. What is the flood zone status of the property?
3. Are you aware of any flood insurance requirements concerning the property?
4. Do you have flood insurance on the property?
5. Has the property been damaged or affected by flood, storm run-off, sewer backup, drainage or grading problems?
6. Are you aware of any surface or ground water drainage systems which assist in draining the property, e.g. french drains?
7. Has there been any occurrence of water in the heating and air conditioning duct system?
8. Are you aware of water seepage, leakage or other drainage problems in any of the improvements on the property?

Additions/Alterations/Repairs

- 9. Have any additions or alterations been made without required permits?
10. Are you aware of previous foundation repairs?
11. Are you aware of any alterations or repairs having been made to correct defects or problems?
12. Are you aware of any defect or condition affecting the interior or exterior walls, ceilings, slab/foundation, basement/storm cellar, floors, windows, doors, fences or garage?
13. Has the roof ever been repaired or replaced during your ownership of the property?
14. Approximate age of roof, if known 1997 number of layers, if known 1
15. Do you know of any current problems with the roof?
16. Are you aware of treatment for termite or wood-destroying organism infestation?
17. Do you have a termite bait system installed on the property?
18. If yes, is it monitored by a licensed exterminating company?
19. Are you aware of any damage caused by termites or wood-destroying organisms?
20. Are you aware of major fire, tornado, or wind damage?

Environmental

- 21. Are you aware of the presence of asbestos?
22. Are you aware of the presence of radon gas?
23. Have you tested for radon gas?
24. Are you aware of the presence of lead-based paint?
25. Have you tested for lead-based paint?
26. Are you aware of any underground storage tanks on the property?
27. Are you aware of the presence of a landfill on the property?
28. Are you aware of existence of hazardous or regulated materials and other conditions having an environmental impact?
29. Are you aware of existence of prior manufacturing of methamphetamine?
30. Have you had the property inspected for mold?
31. Have you had any remedial treatment for mold on the property?
32. Are you aware of any condition on the property that would impair the health or safety of the occupants?

Property Shared in Common, Easements, Homeowner's Association, Legal

- 33. Are you aware of features of the property shared in common with adjoining landowners, such as fences, driveways, and roads whose use or responsibility has an affect on the property?
34. Other than utility easements serving the property, are you aware of easements or right-of-ways affecting the property?

Seller's Initials Seller's Initials

Buyer's Initials Buyer's Initials

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- 35. Are you aware of encroachments affecting the property? Yes  No  Unk
  - 36. Are you aware of a mandatory homeowner's association? Yes  No  Unk  
 Amount of dues \$ \_\_\_\_\_ Special Assessment \$ \_\_\_\_\_  
 Payable: (Check one) \_\_\_ monthly \_\_\_ quarterly \_\_\_ annually  
 Are there unpaid dues or assessments for the Property? (Check one) \_\_\_ yes \_\_\_ no  
 If yes, amount \$ \_\_\_\_\_ Manager's Name: \_\_\_\_\_  
 Phone No. \_\_\_\_\_
  - 37. Are you aware of any zoning, building code or setback requirement violations? Yes  No  Unk
  - 38. Are you aware of any notices from any government or government-sponsored agencies or any other entities affecting the property? Yes  No  Unk
  - 39. Are you aware of any threatened or existing litigation or lawsuit(s), directly or indirectly, affecting the property? Yes  No  Unk
  - 40. Is the property located in a fire district which requires payment? Yes  No  Unk  
 Amount of fees \$ \_\_\_\_\_ To Whom Paid \_\_\_\_\_  
 Payable (Check one) \_\_\_ monthly \_\_\_ quarterly \_\_\_ annually
  - 41. Is the property located in a private utility district? Yes  No  Unk  
 (Check applicable) water \_\_\_ garbage \_\_\_ sewer \_\_\_ other \_\_\_  
 If other, explain: \_\_\_\_\_  
 Initial membership fee \$ \_\_\_\_\_ annual membership fee \$ \_\_\_\_\_  
 (If more than one (1) utility, attach additional pages.)
- Miscellaneous**
- 42. Are you aware of other defect(s), affecting the property, not disclosed above? Yes  No  Unk
  - 43. Are you aware of any other fees or dues required on the property that you have not disclosed? Yes  No  Unk

If you answered "YES" to any of the items 1- 43 above, list the item number(s) and explain. (If needed, attach additional pages, with your signature(s), date(s) and location of subject property.

14. Roof replaced in 1997

On the date this form is signed, the seller states that based on seller's CURRENT ACTUAL KNOWLEDGE of the property, the information contained above is true and accurate.

Are there any additional pages attached to this disclosure (circle one): Yes  No  If yes, how many? \_\_\_\_\_

Mary Mc Goodwin-Switzer 11-22-08  
Seller's Signature \_\_\_\_\_ Date \_\_\_\_\_ Seller's Signature \_\_\_\_\_ Date \_\_\_\_\_

**A real estate licensee has no duty to the Seller or the Purchaser to conduct an independent inspection of the property and has no duty to independently verify the accuracy or completeness of any statement made by the seller in this disclosure statement.**

The Purchaser understands that the disclosures given by the Seller on this statement is not a warranty of condition. The Purchaser is urged to carefully inspect the property and, if desired, to have the property inspected by a licensed expert. For specific uses, restrictions and flood zone status, contact the local planning, zoning and/or engineering department. The Purchaser acknowledges that the Purchaser has read and received a signed copy of this statement. This completed acknowledgement should accompany an offer to purchase on the property identified. This is to advise that this disclosure statement is not valid after 180 days from the date signed by the Seller.

Purchaser's Signature \_\_\_\_\_ Date \_\_\_\_\_ Purchaser's Signature \_\_\_\_\_ Date \_\_\_\_\_

The disclosure and disclaimer statement forms and the Oklahoma Residential Property Condition Disclosure Act information pamphlet are made available at the Oklahoma Real Estate Commission (OREC), Shepherd Mall, 2401 NW 23 St, Suite 18, Oklahoma City, Oklahoma 73107-2431, or visit OREC's Web site www.orec.ok.gov.



This form officially approved by the OKLAHOMA CITY METROPOLITAN ASSOCIATION OF REALTORS®

### DISCLOSURE OF INFORMATION ON LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS (Target Housing Sales)

#### Lead Warning Statement

Every buyer of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Address of Property: 2801 N. Windsor Place Oklahoma City, Oklahoma

#### Seller's Disclosure (Initial on lines below)

- MJH (a) Presence of lead-based paint or lead-based paint hazards (check one below):
  - Known lead-based paint and/or lead-based paint hazards are present in the housing (explain):
  - Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- MJM (b) Records and reports available to the Seller (Check one below):
  - Seller has provided the Buyer with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).
  - Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.
- (c) Seller has received the pamphlet *Protect Your Family from Lead in Your Home*.

Seller has reviewed the information above and certifies, to the best of Seller's knowledge, that the information provided by Seller is true and accurate.

Mary L. MacGowan, Trustee 11-22-08  
 Seller's signature Date:  
 \_\_\_\_\_  
 Seller's signature Date:

#### Buyer's Acknowledgment (Initial on lines below)

- \_\_\_\_\_ (d) Initial by Buyer only if Buyer has received from Seller copies of either (i) information about known lead-based paint/hazards per paragraph (a) above, or (ii) records or reports pertaining to lead-based paint per paragraph (b) above.
  - \_\_\_\_\_ (e) Buyer has received the pamphlet *Protect Your Family from Lead in Your Home*.
  - \_\_\_\_\_ (f) Buyer has (check one below):
    - Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or
    - Waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.
- Buyer has reviewed the information above and certifies, the best of Buyer's knowledge, that the information provided by Buyer is true and accurate.

\_\_\_\_\_  
 Buyer's signature Date:  
 \_\_\_\_\_  
 Buyer's signature Date:

#### Broker's Acknowledgment - (Initial - NOTE: Only if no Listing Broker, Selling Broker shall initial unless Selling Broker receives all compensation from Buyer.)

- WJH (g) Broker has informed the Seller of the Seller's obligations under 42 U.S.C. 4852(d) and is aware of his/her responsibilities to ensure compliance.
- Broker has reviewed the information above and certifies, to the best of Broker's knowledge, that the information provided by Broker is true and accurate.

Carey-Hughes Realty Advisors, Inc. 11-22-08  
 (Listing Broker) Date:  
 By Weldon Hughes  
 Signature Weldon Hughes, CRA  
 \_\_\_\_\_  
 (Selling Broker) Date:  
 By \_\_\_\_\_  
 Signature \_\_\_\_\_