



SELLER DISCLOSURE OF PROPERTY CONDITION

(To be delivered prior to buyer making Offer to Buy Real Estate)

Property Owner(s) & Address: Eric Waldon + Kathleen Mann, 2308 Hamilton, Sioux City, IA

Purpose of Disclosure: Completion of this form is required under Chapter 558A of the Iowa code which mandates Seller disclose condition and information about the property.

Exempt Properties: Properties exempted from the Seller's disclosure requirement include (IA Code 558A): Bare ground; property containing 5 or more dwellings units; court ordered transfers; transfers by a power of attorney; foreclosures; lenders selling foreclosed properties; fiduciaries in the course of an administration of an decedent's estate, guardianship, conservatorship, or trust; between joint tenants, or tenants in common; to or from any governmental division; quit claim deeds; intra family transfers; between divorcing spouses; commercial or agricultural property which has no dwellings.

Seller(s) certifies that the property is exempt from the requirement(s) of 558A because one of the above exemptions apply. If so, you may stop here.

<u>Eric Waldon</u>	<u>10-22-08</u>	<u>Kathleen Mann</u>	<u>10-22-08</u>	
Seller	Date	Seller	Date	
Buyer	Date	Buyer	Date	

Instructions to the Seller: (1) Complete this form yourself. (2) Report known conditions materially affecting the property and utilize ordinary care in obtaining the information. (3) Provide information in good faith and make a reasonable effort to ascertain the required information. (4) Additional pages or reports may be attached. (5) If some items do not apply to your property, write "NA" (not applicable). (6) All approximations must be identified "AP". If you do not know the facts, write or check UNKNOWN. (7) Keep a copy of this statement.

Seller's Disclosure Statement: Seller discloses the following information regarding the property and certifies this information is true and accurate to the best of my/our knowledge as of the date signed. Seller authorizes Agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property or as otherwise provided by law. This statement shall not be a warranty of any kind by Seller or Seller's Agent and shall not be intended as a substitute for any inspection or warranty the purchaser may wish to obtain. The following are representations made by Seller and are not by any Agent acting on behalf of the Seller. **The Agent has no independent knowledge of the condition of the property except that which is written on this form. Seller advises Buyer to obtain independent inspections relevant to Buyer.**

I. Appliances/Systems/Services (Note: Section I is for the convenience of Buyer/Seller and is not mandatory):

	Included	Working?			Rented?			Included	Working?		
		Yes	No	OR	Unknown	Yes			No	Yes	No
Range/Oven	()	<input checked="" type="checkbox"/>	()	()			Lawn Sprinkler System	()	()	()	
Dishwasher	()	<input checked="" type="checkbox"/>	()	()			Solar Heating System	()	()	()	
Refrigerator	()	<input checked="" type="checkbox"/>	()	()			Pool Heater, Wall				
Hood/Fan	()	<input checked="" type="checkbox"/>	()	()			liner & equipment	()	()	()	
Disposal	()	<input checked="" type="checkbox"/>	()	()			Well & Pump		()	()	
TV receiving							Smoke Alarm	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	()	
Equipment	()	<input checked="" type="checkbox"/>	()	()			Septic Tank &				
Sump Pump	()	()	()	()			Drain field		()	()	
Alarm System	()	()	()	()			City Water System		<input checked="" type="checkbox"/>	()	
Central AC	()	<input checked="" type="checkbox"/>	()	()			City Sewer System		<input checked="" type="checkbox"/>	()	
Window AC	()	()	()	()			Plumbing System		<input checked="" type="checkbox"/>	()	
Central Vacuum	()	()	()	()			Central Heating System		<input checked="" type="checkbox"/>	()	
Gas Grill	()	()	()	()			Water Heater		<input checked="" type="checkbox"/>	()	
Attic Fan	()	<input checked="" type="checkbox"/>	()	()			Windows		<input checked="" type="checkbox"/>	()	
Intercom	()	()	()	()			Fireplace/Chimney		()	()	
Microwave	()	<input checked="" type="checkbox"/>	()	()			Wood Burning System	()	()	()	
Trash Compactor	()	()	()	()			Furnace Humidifier	()	()	()	
Ceiling Fan	()	<input checked="" type="checkbox"/>	()	()			Sauna/Hot tub	()	()	()	
Water Softener/							Locks and Keys	()	<input checked="" type="checkbox"/>	()	
Conditioner	()	()	()	()	()	()	Dryer	()	<input checked="" type="checkbox"/>	()	
LP Tanks	()	()	()	()	()	()	Washer	()	<input checked="" type="checkbox"/>	()	
Swing Set	()	()	()	()			Storage Shed	()	<input checked="" type="checkbox"/>	()	
Basketball Hoop	()	()	()	()			Underground				
Pet Transmitter	()	()	()	()			"pet fence"	()	()	()	
Collars	()	()	()	()		# of collars					
Garage door opener	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	()	()		# of remotes					

Buyer initials _____ Seller initials EW KM

Exceptions/Explanations for "NO" responses above: _____

Notice: Items marked "included" are intended to remain with the property after sale. However, included items may be negotiable between Buyer and Seller, and requested items should be in writing as either included or excluded in any Offer to Buy/Purchase Agreement. The Offer to Buy/Purchase Agreement shall be the final terms of any agreement.

ALL HOUSEHOLD APPLIANCES ARE NOT UNDER WARRANTY BEYOND DATE OF CLOSING. Warranties are available for purchase from independent warranty companies.

II. Property Conditions, Improvements and Additional Information:

1. **Basement/Foundation:** Has there been known water or other problems? Yes No Unknown If yes, please explain: _____
2. **Roof:** Any known problems? Yes No Unknown Type _____ Unknown
Date of repairs/replacement _____ Unknown Describe: _____
3. **Well and pump:** Any known problems? Yes No Unknown Type of well (depth/diameter), age and date of repair: _____
NA Has the water been tested? Yes No Unknown
If yes, date of last report/results: _____
4. **Septic tanks/drain fields:** Any known problems? Yes No Unknown Location of tank NA Unknown
Age _____ Unknown Date tank last cleaned _____ Unknown
5. **Sewer:** Any known problems? Yes No Any known repairs/replacement? Yes No Date of repairs _____
6. **Heating system(s):** Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs 2006 - New fan motor
7. **Central Cooling system(s):** Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs _____
8. **Plumbing system(s):** Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs _____
9. **Electrical system(s):** Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs _____
10. **Pest Infestation:** (wood-destroying insects, bats, snakes, rodents, destructive/troublesome animals, etc.) Any known problems? Yes No Unknown Date of treatment NA Previous Infestation/Structural Damage? Yes No Date of repairs 2004 - Some ant damage, has been repaired.
11. **Asbestos:** Is asbestos present in any form in the property? Yes No Unknown If yes, explain: _____
12. **Radon:** Any known tests for the presence of radon gas? Yes No If yes, test results? _____
Date of last report _____
13. **Lead Based Paint:** Known to be present or has the property been tested for the presence of lead based paint? Yes No
Unknown If yes, what were the test results? _____
Has the lead disclosure form and pamphlet been provided? Yes No
14. **Any known encroachments, easements, "common areas"** (facilities like pools, tennis courts, walkways or other areas co-owned with others), zoning matters, nonconforming uses, or a Homeowners Association which has any authority over the property? Yes No Unknown
15. **Features** of the property known to be shared in common with adjoining landowners, such as walls, fences, roads and driveways whose use or maintenance responsibility may have an effect on the property? Yes No Unknown
16. **Structural Damage:** Any known structural damage? Yes No Unknown
17. **Physical Problems:** Any known settling, flooding, drainage or grading problems? Yes No Unknown
18. **Is the property located in a flood plain?** Yes No Unknown If yes, flood plain designation _____
19. **Do you know the zoning classification of this property?** Yes No Unknown What is the zoning? _____
20. **Covenants:** Is the property subject to restrictive covenants? Yes No Unknown If yes attach a copy OR state where a true, current copy of the covenants can be obtained: _____

Buyer initials _____ Seller initials EW Km

You **MUST** explain any "Yes" responses above (Attach additional sheets if necessary): _____

III. Non-Mandatory Requested Items: Are you as Seller aware of any of the following:

- 1. Any significant structural modification, alteration, or repairs? Yes No Unknown Please explain: Cosmetic improvements only.
- 2. Has there been a property/casualty loss or insurance claim over \$5,000, or major damage to the property from fire, wind, hail, flood(s) or other conditions? Yes No Unknown If yes, has the damage been repaired/replaced? Yes No
- 3. Are there any known current, preliminary, proposed or future assessments by any governing body or owner's association of which you have knowledge? Yes No Unknown
- 4. Mold: Does property contain toxic mold that adversely affects the property or occupants? Yes No Unknown
- 5. Septic Tank/ Drain Field: If in a county requiring septic inspection when the title is transferred, has the system been inspected within regulated amount of time? Yes No Unknown Date of inspection _____
- 6. Private burial grounds: Does property contain any private burial ground? Yes No Unknown
- 7. Neighborhood or Stigmatizing conditions or problems affecting this property? Yes No Unknown
- 8. Energy Efficiency Testing: Has the property been tested for energy efficiency? Yes No Unknown If yes, what were the test results? _____
- 9. Attic Insulation: Type _____ Unknown Amount _____ Unknown
- 10. Are you aware of any area environmental concerns? Yes No Unknown If yes, please explain: _____
- 11. Are you related to the listing agent? Yes No If yes, how? _____
- 12. Is the property located in a Real Estate Improvement District (Only IA Code 358C)? Yes No Unknown If yes, indicate the amount of any special assessment against the property: \$ _____
- 13. Attach copy of survey (if available).

If the answer to any item is yes, please explain. Attach additional sheets, if necessary: _____

Seller has owned the property since 2004 (date). Seller has indicated above the history and condition of all the items based solely on the information known or reasonably available to the Seller(s). If any changes occur in the structural/mechanical/appliance systems of this property from the date of this form to the date of closing, Seller will immediately disclose the changes to Buyer. In no event shall the parties hold Broker liable for any representations not directly made by Broker or Broker's affiliated licensees (brokers and salespersons). **Seller hereby acknowledges Seller has retained a copy of this statement.**

Seller Eric Waldon Seller Kathleen Mann Date 10-14-08

Buyer hereby acknowledges receipt of a copy of this statement. This statement is not intended to be a warranty or to substitute for any inspection the buyer(s) may wish to obtain.

Buyer _____ Buyer _____ Date _____

**DISCLOSURE OF INFORMATION AND ACKNOWLEDGMENT:
LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS**

Address: 2308 Hamilton Blvd., Sioux City, IA
Lead Warning Statement

Every purchaser 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.

SELLER'S DISCLOSURE (initial)

EW KM (a) Presence of lead-based paint and/or lead-based paint hazards (check one below):

Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

EW KM (b) Records and Reports available to the Seller (check one below):
 Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

Seller has provided the Purchaser 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.

PURCHASER'S ACKNOWLEDGEMENT (initial)

_____ (c) Purchaser has received copies of all information listed above.
 or, No Records or Reports were available (see (b) above).

_____ (d) Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home, Lead Poisoning: How to Protect Iowa Families*, or a similarly approved booklet.

_____ (e) Purchaser 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.

AGENT'S ACKNOWLEDGEMENT (initial)

WTK (f) Agent has informed the Seller of the Seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

CERTIFICATE OF ACCURACY

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information provided by the signatory is true and accurate:

<u>Erin Waldon</u>	<u>10-22-08</u>	_____	_____
Seller	Date	Purchaser	Date
<u>Kathleen Mann</u>	<u>10-22-08</u>	_____	_____
Seller	Date	Purchaser	Date
<u>[Signature]</u>	<u>10/22/2008</u>	_____	_____
Seller's Agent	Date	Purchaser's Agent	Date