



# SELLER DISCLOSURE OF PROPERTY CONDITION

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

Property Owner(s) & Address:

Timberline Development, LLC 6725 Timberline Cir, Sioux City, IA 51106

**Purpose of Disclosure:** Completion of Section I this form is required under Chapter 558A of the Iowa code which mandates the Seller(s) disclose condition and information about the property, unless exempt:

**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 Iowa Code 558A because one of the above exemptions apply. If so, you may stop here.

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.**

Seller initials KTK Buyer initials \_\_\_\_\_

## I. Property Conditions, Improvements and Additional Information: (Section I is Mandatory)

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: \_\_\_\_\_ 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 \_\_\_\_\_  
Unknown  Age \_\_\_\_\_ Unknown   
Has the system been inspected within 2 years or pumped/cleaned within 3 years?  
Yes  No  UNK  Date of inspection \_\_\_\_\_ UNK  Date tank last cleaned/pumped \_\_\_\_\_ UNK

KTK Seller \_\_\_\_\_ Buyer \_\_\_\_\_

- 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 \_\_\_\_\_
- 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 \_\_\_\_\_  
Previous Infestation/Structural Damage? Yes  No  Date of repairs \_\_\_\_\_
- 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 \_\_\_\_\_  
If Buyer tests for Radon, Seller Agrees to release testing results to Buyer  Yes
- 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:  
 On file at County Recorder's office or: Listing Office

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

14,15,20: Subject Property is part of 2 Home Owners Associations.  
14. City of Sioux City has an easement to access and service the  
Seller initials VJK Buyer initials \_\_\_\_\_ Sewer pump.

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

**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.

	Included	Working?			Rented?		Included	Working?						
		Yes	No	OR Unknown	Yes	No		Yes	No	OR Unknown				
Range/Oven	( )	( )	( )	( )										
Dishwasher	(X)	(X)	( )	( )										
Refrigerator	( )	( )	( )	( )										
Hood/Fan	( )	( )	( )	( )										
Disposal	(X)	(X)	( )	( )										
TV receiving Equipment	( )	( )	( )	( )										
Sump Pump	( )	( )	( )	( )										
Alarm System	( )	( )	( )	( )										
Central AC	(X)	(X)	( )	( )										
Window AC	( )	( )	( )	( )										
Central Vacuum	( )	( )	( )	( )										
Gas Grill	( )	( )	( )	( )										
Attic Fan	( )	( )	( )	( )										
Intercom	( )	( )	( )	( )										
Microwave	(X)	(X)	( )	( )										
Trash Compactor	( )	( )	( )	( )										
Ceiling Fan	(X)	(X)	( )	( )										
Water Softener/Conditioner	( )	( )	( )	( )		( ) ( )								
LP Tanks	( )	( )	( )	( )		( ) ( )								
Keys & Locks	( )	( )	( )	( )										
Swing Set	( )	( )	( )	( )										
Basketball Hoop	( )	( )	( )	( )										
Underground "Pet fence"	( )	( )	( )	( )										
Pet Collars	( )	( )	( )	( )		# of collars								
Garage door opener	(X)	(X)	( )	( )		# of remotes	<u>2</u>							
Lawn Sprinkler System														
Solar Heating System	( )	( )	( )	( )										
Pool Heater, Wall liner & equipment	( )	( )	( )	( )										
Well & Pump														
Smoke Alarm	(X)	(X)	( )	( )										
Septic Tank & Drain field														
City Water System														
City Sewer System														
Plumbing System														
Central Heating System														
Water Heater														
Windows														
Fireplace/Chimney														
Wood Burning System	( )	( )	( )	( )										
Furnace Humidifier	( )	( )	( )	( )										
Sauna/Hot tub	( )	( )	( )	( )										
Locks and Keys	( )	( )	( )	( )										
Dryer	( )	( )	( )	( )										
Washer	( )	( )	( )	( )										
Storage Shed	( )	( )	( )	( )										
Boat Dock	( )	( )	( )	( )										
Boat Hoist	( )	( )	( )	( )										

Exceptions/Explanations for "NO" responses above: \_\_\_\_\_

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

Seller initials VJV Buyer initials \_\_\_\_\_

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

- Any significant structural modification or alteration to property? Yes [ ] No [X] Unknown [ ] Please explain: \_\_\_\_\_
- 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 [X] Unknown [ ] If yes, has the damage been repaired/replaced? Yes [ ] No [ ]

VJV  
Seller  
\_\_\_\_\_  
Buyers

- 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. Private burial grounds: Does property contain any private burial ground? Yes  No  Unknown
- 6. Neighborhood or Stigmatizing conditions or problems affecting this property? Yes  No  Unknown
- 7. Energy Efficiency Testing: Has the property been tested for energy efficiency? Yes  No  Unknown   
If yes, what were the test results? \_\_\_\_\_
- 8. Attic Insulation: Type Blow In Unknown  Amount \_\_\_\_\_ Unknown
- 9. Are you aware of any area environmental concerns? Yes  No  Unknown  If yes, please explain: \_\_\_\_\_
- 10. Are you related to the listing agent? Yes  No  If yes, how? I am the listing Agent
- 11. Where survey of property may be found: \_\_\_\_\_

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

3. Home Owners Association Fees  
a. Whispering Creek Association  
b. Timberline Home Owners Association

12. Repairs: Any repair(s) to property not so noted: (Date of repairs, Name of repair company if utilized.) (Note: Repairs are not normal maintenance items) (Attach additional sheets, if necessary) \_\_\_\_\_

Seller has owned the property since 2009 (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 acknowledges requirement that Buyer be provided with the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Public Health.**

Seller [Signature] Seller \_\_\_\_\_ Date 1-13-10

**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 acknowledges receipt of the "Iowa Radon Home-Buyers and Sellers Fact Sheet" prepared by the Iowa Department of Public Health.**

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