



**SELLER DISCLOSURE OF PROPERTY CONDITION**

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

**Property Owner(s) & Address:**

ANNE THORSEN, 206 S. 1ST AVE., INDIANOLA, IA 50125

**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.

_____	Date _____	_____	Date _____
Seller		Seller	
_____	Date _____	_____	Date _____
Buyer		Buyer	

**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 AT Buyer initials \_\_\_\_\_

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

- Basement/Foundation:** Has there been known water or other problems? Yes  No  Unknown  If yes, please explain: \_\_\_\_\_
- Roof:** Any known problems? Yes  No  Unknown  Type \_\_\_\_\_  
Unknown  Date of repairs/replacement \_\_\_\_\_ Unknown   
Describe: \_\_\_\_\_
- 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: \_\_\_\_\_
- 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

**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	<del>X</del>	( )	( )	( )			Lawn Sprinkler System	( )	( )	( )	
Dishwasher	<del>X</del>	( )	( )	( )			Solar Heating System	( )	( )	( )	
Refrigerator	<del>X</del>	( )	( )	( )			Pool Heater, Wall				
Hood/Fan	<del>X</del>	( )	( )	( )			liner & equipment	( )	( )	( )	
Disposal	<del>X</del>	( )	( )	<del>X</del>			Well & Pump		( )	( )	
TV receiving							Smoke Alarm	( )	( )	( )	
Equipment	<del>X</del>	( )	( )	( )			Septic Tank &				
Sump Pump	<del>X</del>	( )	( )	( )			Drain field		( )	( )	
Alarm System	( )	( )	( )	( )			City Water System		( )	( )	
Central AC	( )	( )	( )	( )			City Sewer System		( )	( )	
Window AC	<del>X</del>	( )	( )	( )			Plumbing System		( )	( )	
Central Vacuum		( )	( )	( )			Central Heating System		( )	( )	
Gas Grill	( )	( )	( )	( )			Water Heater		( )	( )	
Attic Fan	( )	( )	( )	( )			Windows		( )	( )	
Intercom		( )	( )	( )			Fireplace/Chimney		( )	( )	
Microwave	( )	( )	( )	( )			Wood Burning System	( )	( )	( )	
Trash Compactor	( )	( )	( )	( )			Furnace Humidifier	( )	( )	( )	
Ceiling Fan	<del>X</del>	( )	( )	( )			Sauna/Hot tub	( )	( )	( )	
Water Softener/							Locks and Keys	( )	( )	( )	
Conditioner	<del>X</del>	( )	( )	( )	( )	( )	Dryer	<del>X</del>	( )	( )	
LP Tanks	( )	( )	( )	( )	( )	( )	Washer	<del>X</del>	( )	( )	
Keys & Locks	( )	( )	( )	( )			Storage Shed	<del>X</del>	( )	( )	
Swing Set	( )	( )	( )	( )							
Basketball Hoop	<del>X</del>	( )	( )	( )							
Underground							Boat Dock	( )	( )	( )	
"Pet fence"	( )	( )	( )	( )			Boat Hoist	( )	( )	( )	
Pet Collars	( )	( )	( )	( )		# of collars					
Garage door opener	<del>X</del>	( )	( )	( )		# of remotes					

**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 AT 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  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  Unknown [ ] If yes, has the damage been repaired/replaced? Yes [ ] No [ ]

- 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 New 2008
- 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: \_\_\_\_\_

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

Seller initials AT Buyer initials \_\_\_\_\_

- 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 \_\_\_\_\_ 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? \_\_\_\_\_

11. Where survey of property may be found: \_\_\_\_\_  
 If the answer to any item is yes, please explain. Attach additional sheets, if necessary: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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) \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Seller has owned the property since 2006 (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  Seller \_\_\_\_\_ Date 11-18-09

**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: 206 S. 1ST AVE., INDIANOLA, 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)**

AL (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).  
\_\_\_\_\_

Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

AL (b) Records and Reports available to the Seller (check one below):

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)**

MS (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>[Signature]</u> Seller	<u>11-13-09</u> Date	_____	_____
		Purchaser	Date

_____	_____	_____	_____
Seller	Date	Purchaser	Date
<u>[Signature]</u> Seller's Agent	<u>11-13-09</u> Date	_____	_____
		Purchaser's Agent	Date