



SELLER DISCLOSURE OF PROPERTY CONDITION

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

Property Owner(s) & Address: Gary & Connie Peck
22773-103RD Ave New Virginia IA 50812

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 GN CP 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: normally dry, no flooding, some wetness if rains several inches in short period of time.
- Roof:** Any known problems? Yes No Unknown Type Asphalt
Unknown Date of repairs/replacement 2004 Unknown
Describe: _____
- Well and pump:** Any known problems? Yes No Unknown Type of well (depth/diameter), age and date of repair: SPR. for exterior use only 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 South of house
Unknown Age 9 yrs Unknown (New 2000)
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

- 5. Sewer: Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs Septic New 2000
 - 6. Heating system(s): Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs New 2000
 - 7. Central Cooling system(s): Any known problems? Yes No Any known repairs/replacement? Yes No
Date of repairs Spring 2010 / New 2000
 - 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: Siding
 - 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? Aq
 - 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 GN CU Buyer initials _____

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

Exceptions/Explanations for "NO" responses above:

LP Tank - Buyer will take over contract with Coop - only \$7.50/Month to long tank

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

Seller initials GN 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 []

- 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 [X] Unknown []
- 4. Mold: Does property contain toxic mold that adversely affects the property or occupants? Yes [] No [X] Unknown []
- 5. Private burial grounds: Does property contain any private burial ground? Yes [] No [X] Unknown []
- 6. Neighborhood or Stigmatizing conditions or problems affecting this property? Yes [] No [X] Unknown []
- 7. Energy Efficiency Testing: Has the property been tested for energy efficiency? Yes [] No [X] Unknown []
If yes, what were the test results? _____
- 8. Attic Insulation: Type R13 Unknown [] Amount _____ Unknown []
- 9. Are you aware of any area environmental concerns? Yes [] No [X] Unknown [] If yes, please explain: _____
- 10. Are you related to the listing agent? Yes [] No [X] 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) (Attach additional sheets, if necessary) _____

Seller has owned the property since 2000 (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 Mary Ann Seller Cornelia Date 8/16/10

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 _____



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

Address: 28723-103rd Ave New Virginia, IA 50210

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)

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

cu 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.

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

cu 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*.

_____ (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)

_____ (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>Dany Neer</u> Seller	<u>8/16/10</u> Date	_____	_____
		Purchaser	Date
<u>Connie Neer</u> Seller	<u>8/16/10</u> Date	_____	_____
		Purchaser	Date
_____	_____	_____	_____
Seller's Agent	Date	Purchaser's Agent	Date