REALTOR® BENCHMARK Real Estate

SELLER DISCLOSURE OF PROPERTY CONDITION

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

EQUAL HOUSING OPPORTUNITY

Property Owner(s) & Address:
Jared & Tawnya Achen 412 N Pearl Street, Wayland, IA 52654

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; transfers by a fiduciary in the course of the administration of a decedent's estate, guardianship, conservatorship, or trust. This exemption shall not apply to a transfer of real estate in which the fiduciary is a living natural person and was an occupant in possession of the real estate at any time within the twelve consecutive months immediately preceding the date of transfer; 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 claiming an exemption, sign here and stop.

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 JA JA Buyer initials _____ _____

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

EACH AND EVERY LINE MUST BE ADDRESSED AND MARKED

1. **Basement/Foundation:** Has there been known water or other problems? Yes ☐ No ☐ Unknown ☒
   1A. If yes, please explain: _____
2. **Roof:** Any known problems? Yes ☐ No ☒ Unknown ☐
   2A. Type _____
   2B. Date of repairs/replacement (If any) _____
   Describe: _____
3. **Well and pump:** Any known problems? Yes ☐ No ☐ Unknown ☐
   3A. Type of well (depth/diameter), age and date of repair: N/A

3B. Has the water been tested? Yes ☐ No ☐ Unknown ☐

3C. If yes, date of last report/results: N/A

4. **Septic tanks/drain fields:** Any known problems? Yes ☐ No ☐ Unknown ☐

Location of tank _____ Age _____ Unknown ☐

Has the system been pumped and inspected within the last 2 years?

Yes ☐ No ☐ Unknown ☐ N/A

Date of inspection _____ Date tank last cleaned/pumped _____ N/A ☐

5. **Sewer:** Any known problems? Yes ☐ No ☒ Unknown ☐

5A. Any known repairs/replacement? Yes ☐ No ☒ Unknown ☐

5B. Date of repairs _____

6. **Heating system(s):** Any known problems? Yes ☐ No ☒

6A. Any known repairs/replacement? Yes ☐ No ☒

6B. Date of repairs _____

7. **Central Cooling system(s):** Any known problems? Yes ☐ No ☒

7A. Any known repairs/replacement? Yes ☐ No ☒

7B. Date of repairs _____

8. **Plumbing system(s):** Any known problems? Yes ☐ No ☒

8A. Any known repairs/replacement? Yes ☐ No ☒

8B. Date of repairs _____

9. **Electrical system(s):** Any known problems? Yes ☐ No ☒

9A. Any known repairs/replacement? Yes ☐ No ☒

9B. Date of repairs _____

10. **Pest Infestation:** (wood-destroying insects, bats, snakes, rodents, destructive/troublesome animals, etc.)

10A. Any known problems? Yes ☐ No ☒ Unknown ☐

Date of treatment _____

10B. Previous Infestation/Structural Damage? Yes ☐ No ☒ Unknown ☐

Date of repairs _____

11. **Asbestos:** Is asbestos present in any form in the property? Yes ☐ No ☐ Unknown ☒

11A. If yes, explain: _____

12. **Radon:** Any known tests for the presence of radon gas? Yes ☐ No ☒

12A. 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 ☒

13A. Provide lead based paint disclosure.

_____

_____

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 ☐
18A. 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 JA TM **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? Yes	No	OR N/A
Range/Oven	☑	☑	☐	☐
Dishwasher	☑	☑	☐	☐
Refrigerator	☑	☑	☐	☐
Hood/Fan	☑	☑	☐	☐
Disposal	☑	☑	☐	☐
TV receiving Equipment	☐	☐	☐	☐
Sump Pump	☐	☐	☐	☐
Alarm System	☐	☐	☐	☐
Central AC	☑	☑	☐	☐
Window AC	☐	☐	☐	☐
Central Vacuum		☐	☐	☐
Gas Grill	☐	☐	☐	☐
Attic Fan	☐	☐	☐	☐
Intercom		☐	☐	☐
Microwave	☐	☐	☐	☐
Trash Compactor	☐	☐	☐	☐
Ceiling Fan	☑	☐	☐	☐
Water Softener/ Conditioner	☐	☐	☐	☐
LP Tanks	☐	☐	☐	☐
Keys & Locks	☐	☐	☐	☐
Swing Set	☐	☐	☐	☐
Basketball Hoop	☐	☐	☐	☐
Boat Hoist	☐	☐	☐	☐
Pet Collars	☐	☐	☐	☐ # of collars _____
Garage door opener	☑	☑	☐	☐ # of remotes _____

	Included	Working? Yes	No	OR N/A
Lawn Sprinkler System		☐	☐	☐
Solar Heating System	☐	☐	☐	☐
Pool Heater, Wall liner & equipment	☐	☐	☐	☐
Well & Pump		☐	☐	☐
Smoke Alarm	☑	☑	☐	☐
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	☐	☐	☐	☐
Underground "Pet fence"	☐	☐	☐	☐
Boat Dock	☐	☐	☐	☐

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 JA TA **Buyer initials** _____ _____

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

1. Any significant structural modification or alteration to property? Yes ☐ No ☑ Unknown ☐ Please explain: _____
2. Has there been a property/casualty loss over $5,000, an 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. 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 Blown 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? _____
11. Where survey of property may be found: Henry Co. CMA house
12. Wind Farms: Is the subject property encumbered by certain Wind Energy rights? Yes ☐ No ☑ If yes, rights by: Lease ☐, Easement ☐, Other ☐ Define Other: _____ Wind Farm Company, Owner: _____

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

13. 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)

Upstairs Bathroom: 2012 Downstairs Bathroom: 2015
Upstairs Kitchen: 2012 + Stove and Fridge Downstairs Dishwasher: 2014 Fridge: 2016

IV. Radon Fact Sheet & Form Acknowledgement

Seller acknowledges that Buyer be provided with and the Buyer acknowledges receipt of the "Iowa Radon Home-Buyers and Sellers Fact Sheet", prepared by the Iowa Department of Public Health.

Seller _____ Seller _____ Date 9-15-20

Seller has owned the property since _____ (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.**

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 _____

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Form Simplicity

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

Address: 412 N Pearl Street, Wayland, IA 52654

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)

JA TT **(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.

JA TT **(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.*

_____ **(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:

Seller	Date 9/15/20	Purchaser	Date
Seller	Date 9/15/20	Purchaser	Date
Seller's Agent	Date 9-15-20	Purchaser's Agent	Date