



SELLER DISCLOSURE OF PROPERTY CONDITION

(To be delivered prior to Buyer make offer to buy real estate)

Property Owner (s) Address:

1322 So. Mulberry

Purpose of Disclosure: Completion of Section 1 of 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 requirements include (IA Code 558 A): Bare ground; property containing 5 or more dwelling 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 dwelling. Seller(s) certifies that the property is exempt from the requirement(s) of 558A because one of the above exemptions applies. 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.

Sellers initials RW

Buyer initials _____

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

1. **Basement/Foundation:** Has there been any known water or other problems? Yes [] No [X] Unknown [] If yes, please explain: _____

2. **Roof:** Any known problems? Yes [] No [X] Unknown [] Type _____ Unknown []
 Describe: _____ Date of repairs/replacement _____ Unknown []

3. **Well and pump:** Any known problems Yes [] No [] Unknown [X] 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 [X] Unknown [] Location of tank _____ Age _____ Unknown [] Has the system been inspected within 2 years or pumped/cleaned within 3 years? Yes [] No [] Unknown _____

5. **Sewer:** Any known problems? Yes [] No Any known repairs/replacement? Yes No []
 Date of repairs Roto Rooter
6. **Heating system (s):** Any known problems? Yes [] No Any known repairs/replacement? Yes No []
 Date of repairs New heat & air May 2000
7. **Central Cooling system (s):** Any known problems? Yes [] No Any known repairs/replacement? Yes No []
 Date of repairs New air May 2000
8. **Plumbing system (s)** Any known problems? Yes [] No Any known repairs/replacement? Yes No []
 Date of repairs Garbage disposal new 2010
9. **Electrical systems (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 Any known repairs/replacement? Yes [] No [] Date of treatment _____
 Infestation/Structural damages? Yes [] No [] Date of repairs _____
11. **Asbestos:** Is asbestos present in any form in the property? Yes [] No [] Unknown If yes, please explain: _____
12. **Radon:** Any known tests for the presence of radon gas? Yes [] No [] Unknown If yes, test results? _____
 Date of last report _____
 If Buyer tests for radon, Buyer agrees to release testing results to Seller [] Yes
13. **Lead Base Paint:** Known to be present or has the property been tested for the presence of lead base 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 area"** (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, floor plain designation _____
19. **Do you know the zoning classification of this property?** Yes No [] Unknown []
 What is the zoning? Residential
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 Country Recorder's office or: _____

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

#5 - Cleaned out kitchen drain & replaced garbage disposal

Seller initials SW Buyers 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 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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Lawn Sprinkler System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Dishwasher	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Solar Heating System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Refrigerator	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Pool Heater, Wall	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Hood/fan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	liner & equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disposal	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Well & pump	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TV Receiving Equipment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Smoke alarm	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alarm System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Septic Tank & Sump Pump	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Central AC	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Drain Field	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Window AC	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City Water System	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Central Vacuum	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	City Sewer System	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Gas Grill	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Plumbing System	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Airtic Fan	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	# of fans _____	Central Heating System	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Intercom	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	() ()	Water Heater	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Microwave	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	() ()	Windows	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Trash Compactor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Fireplace/Chimney	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Ceiling Fan	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Wood Burning System	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Water softener/Conditioner	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Furnace Humidifier	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
LP Tanks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sauna/Hot Tub	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Keys and Locks	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Keys and Locks	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Swing Set	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Dryer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Basketball Hoop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Washer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Underground "pet fence"	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Storage Shed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Garage door opener	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	# of remotes _____	Boat Dock	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Pet Collars	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	# of collars _____	Boat Hoist	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 NA Buyers initials _____

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

- Any significant structural modification, alteration, or repairs 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 [] 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 grounds? 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 tests results?
8. Attic Insulation: Type _____ Unknown [] Amount _____ Unknown []
9. Are you aware of any 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: NA
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 6/2008 (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 salesperson).

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 Kathy H. Weil Seller Date 7/15/10

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 _____

**ADDENDUM
DISCLOSURE OF INFORMATION AND ACKNOWLEDGEMENT
LEAD-BASED PAINT AND/OR LEAD-BASED PAINT HAZARDS**

Property Address: 1322 S Mulberry
Lead Warning Statement

Every buyer 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 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 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)

AKH (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 _____

AKH (b) Records and Reports available to the seller (check one below):

Seller has provided the buyer 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.

Buyer's Acknowledgement (initial)

_____ (c) Buyer has received copies of all information listed above.

_____ (d) Buyer has received the pamphlet *Protect Your Family From Lead in Your Home*.

_____ (e) Buyer has (check one below):

Received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection of the presence lead-based paint 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)

BAM Agent has informed the seller of the seller's obligation under 42 U.S.C. 4852 d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

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

Seller: Kathy A. Weir Date 7/15/10 Buyer: _____ Date _____
 Seller: Barb Maxson Date 7-15-10 Buyer: _____ Date _____
 Agent: _____ Date _____ Agent: _____ Date _____

This contract is contingent upon a risk assessment or inspection of the property for the presence of lead-based paint and/or lead-based paint hazards at the Buyer's expense until _____. This contingency will terminate at the above predetermined deadline unless the Buyer (or Selling Agent) delivers to the Seller (or Listing Agent) a written contract addendum listing the specific existing deficiencies and corrections needed, together with a copy of the inspection and/or risk assessment report. The Seller may, at the Seller's option, within _____ days after delivery of the addendum, elect in writing whether to correct the condition(s) prior to settlement. If the Seller will correct the condition, the Seller shall furnish the Buyer with certification from a risk assessor or inspector demonstrating that the condition has been remedied before the date of the settlement. If the Seller does not elect to make the repairs, or if the Seller makes a counter-offer, the Buyer shall have _____ days to respond to the counter-offer or remove this contingency and take the property in "as-is" condition or this contract shall become void. The Buyer may remove this contingency at any time without cause.

Intact lead-based paint that is in good condition is not necessarily a hazard. See EPA pamphlet *Protect Your Family From Lead in Your Home* for more information.

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