

# No. 1 Quality Realty

## LOT/LAND SELLER'S PROPERTY DISCLOSURE STATEMENT

1 This disclosure statement is designed to assist the Seller in providing information about the Property that is being transferred.  
 2 This completed form constitutes the disclosure by the Seller. The information contained in the disclosure is the  
 3 representation of the owner and not the representations of the listing real estate broker, the selling real estate broker and/or  
 4 their respective licensees or sales persons, if any. This is not a warranty or a substitute for any professional inspections or  
 5 warranties that the Buyer may wish to obtain. **Buyers and Sellers should be aware that any sales agreement executed  
 6 between the parties will supersede this form as to any obligations on the part of the Seller to correct items identified  
 7 below and/or the obligation of the Buyer to accept such items "AS IS."**

### INSTRUCTIONS TO THE SELLER

8 Complete this form yourself and answer each question to the best of your knowledge. If an answer is an estimate, clearly  
 9 label it as such. The Seller hereby authorizes any agent(s) representing any party in this transaction to provide a copy of this  
 10 statement to any person or entity in connection with any actual or anticipated sale of the subject property.

11 PROPERTY ADDRESS TRACTS 1, 2, 3 South Fork Road CITY Whitleyville  
 12 SELLER'S NAME(S) S<sup>1617</sup> Terry Farley

13 DATE SELLER ACQUIRED THE PROPERTY \_\_\_\_\_

14 IF THE ANSWER TO ANY OF THE QUESTIONS LISTED BELOW IS "YES", PLEASE EXPLAIN IN DETAIL IN THE  
 15 "ADDITIONAL EXPLANATIONS" SECTION.

	YES	NO	UNKNOWN
16 <b>1. SOIL, TREES, DRAINAGE AND BOUNDARIES:</b>			
17 (a) Is there or will there be any fill (other than foundation backfill) on the Property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
18 (b) Are there mine shafts or wells (in use or abandoned)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19 (c) Are you aware of any past or present sliding, settling, earth movement, upheaval 20 or earth stability/expansive soil problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
21 (d) Is the Property or any part thereof located in a flood zone?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
22 (e) Are you aware of any past or present drainage or flooding problems?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
23 (f) Are you aware of any past or present diseased or dead trees?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24 (g) Are you aware of any past or present encroachments, boundary line disputes, 25 leases or unrecorded easements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
26 (h) Has the Property been tested for soil and/or percolation? 27 If yes, attach copy of test results.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
28 (i) Has the Property been evaluated for subsurface sewage disposal system? 29 If yes, attach copy of test results.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
30 (j) Has the Property been surveyed to establish boundary lines? 31 Are the corner stakes in place and visible? If yes, attach copy of survey.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
32 <b>2. TOXIC/FOREIGN SUBSTANCES:</b>			
33 (a) Are you aware of any underground tanks, toxic substances, tires, appliances, 34 garbage, foreign and/or unnatural materials, asbestos, polychlorinated 35 biphenyl (PCB's), ureaformaldehyde, methane gas, radioactive material, 36 methamphetamine production or radon on the Property (structure or soil)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
37 (b) Has the Property been tested for radon or any other toxic substance including 38 Phase I testing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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YES NO UNKNOWN

39 3. THE PROPERTY:

40 (a) Consists of no less than \_\_\_\_\_ acres and the current zoning is:

41 \_\_\_\_\_

42 (b) Will conveyance of this Property include all mineral, oil and timber rights?  YES  NO  UNKNOWN

43 (c) Are there any governmental allotments committed?  YES  NO  UNKNOWN

44 (d) Have any licenses or usage permits been granted for, including but not limited to,  YES  NO  UNKNOWN  
45 crops, mineral, water, grazing, timber, usage rights to hunters, fishermen, or others?

46 (e) Crop Rotation Program (CRP)?  YES  NO  UNKNOWN

47 4. COVENANTS, FEES AND ASSESSMENTS:

48 (a) Is or will the Property be part of a condominium or other community association?  YES  NO  UNKNOWN

49 (b) Will the Property be part of a PUD (Planned Unit Development)?  YES  NO  UNKNOWN  
50 Planned Unit Development is defined pursuant to Tenn. Code Ann. § 66-5-213 as  
51 "an area of land, controlled by one (1) or more landowners, to be developed under  
52 unified control or unified plan of development for a number of dwelling units,  
53 commercial, educational, recreational or industrial uses, or any combination of the  
54 foregoing, the plan for which does not correspond in lot size, bulk or type of use,  
55 density, lot coverage, open space, or other restrictions to the existing land use  
56 regulations." Unknown is not a permissible answer under the statute.

57 (c) Is there any defect, damage or problem with any common elements/area that  YES  NO  UNKNOWN  
58 could affect the value or desirability?

59 (d) Is or will it be subject to covenants, conditions and restrictions (CC&R's)?  YES  NO  UNKNOWN

60 (e) Is there an Association Fee? If "YES", amount: \$ \_\_\_\_\_, per \_\_\_\_\_  YES  NO  UNKNOWN

61 (f) Is or will the Association Fee be mandatory?  YES  NO  UNKNOWN

62 (g) Is there a Transfer Fee? If "YES", amount \$ \_\_\_\_\_  YES  NO  UNKNOWN

63 (h) Is there a capital expenditure/contribution due upon transfer?  YES  NO  UNKNOWN  
64 If "YES", amount \$ \_\_\_\_\_

65 (i) Are there any fees, expenses, etc. required by the association, property  YES  NO  UNKNOWN  
66 management company and/or bylaws or covenants for transfer of the Property?  
67 If "YES", amount \$ \_\_\_\_\_

68 (j) Are there any special assessments approved but unpaid by the association?  YES  NO  UNKNOWN

69 (k) Are there any special association assessments under consideration?  YES  NO  UNKNOWN

70 (l) Is there any condition or claim, which may result in an increase in assessments  YES  NO  UNKNOWN  
71 or fees?

72 (m) Does or will the Association Fee include: (The unchecked items are not included or unknown.)

73  Exterior Building Maintenance  Reserve Fund  Gas  Cable

74  Exterior Liability  Road Maintenance  Electricity  Swim

75  Common Grounds Maintenance  Security  Water  Tennis

76  Pest and Termite Control  Garbage  Sewer  Other \_\_\_\_\_

77 5. OTHER MATTERS:

78 (a) Do you know of any violations of local, state or federal laws, codes, regulations,  YES  NO  UNKNOWN  
79 or nonconforming use with respect to the Property?

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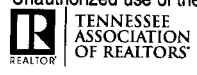
- 80 (b) Have you received notice by any governmental or quasi-governmental agency
- 81 affecting the Property, including but not limited to road changes, zoning
- 82 changes, assessments, condemnation, etc.?
- 83 (c) Is there any existing or threatened legal action affecting the Property?
- 84 (d) Is there any system or appliance on the Property which is leased or has a fee
- 85 associated with its use?
- 86 (e) Are there any private or non-dedicated roadways for which owner may have
- 87 financial responsibility?
- 88 (f) Have there been any inspections or evaluations on the Property during the
- 89 previous year? If yes, explain: \_\_\_\_\_
- 90 (g) Is the Property in any special tax arrangement such as Green Belt?
- 91 If yes, please explain details. \_\_\_\_\_

92	6. UTILITIES:	<i>All available</i>	YES	NO (Check the appropriate box)
93	(A) Electricity	<i>But not installed</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
94	(B) Natural Gas		<input type="checkbox"/>	<input checked="" type="checkbox"/>
95	(C) Telephone		<input checked="" type="checkbox"/>	<input type="checkbox"/>
96	(D) Cable Television	<i>-with telephone</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
97	(E) Garbage Collection	<i>Co-op party</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
98	(F) Public Sewer		<input type="checkbox"/>	<input checked="" type="checkbox"/>
99	(G) Public Water		<input checked="" type="checkbox"/>	<input type="checkbox"/>
100	(H) Other	<i>Fiber internet / DSL</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

101 7. ADDITIONAL EXPLANATION OR DISCLOSURES:

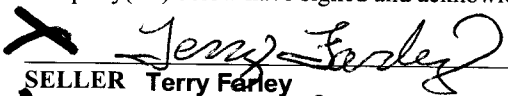
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130 **8. SELLER'S REPRESENTATION**

131 In this disclosure, Seller warrants that to the best of Seller's knowledge and belief, the information contained herein with  
132 respect to the condition of the Property is accurate and complete as of the date signed by Seller. It is not a substitute for  
133 any inspections or warranties that Buyer may wish to obtain. Seller hereby authorizes Broker to provide this information  
134 to prospective buyers of the Property and to Brokers. **Seller agrees to promptly update this Lot/Land Disclosure**  
135 **Statement and provide any Buyer and Brokers with a revised copy of the same if there are any material changes**  
136 **in the answers to the questions contained herein.**

137 The party(ies) below have signed and acknowledge receipt of a copy.  
138   
139 **SELLER Terry Farley** \_\_\_\_\_ **SELLER** \_\_\_\_\_  
140 ~~19-6-16~~ at 9 o'clock  am/  pm \_\_\_\_\_ at \_\_\_\_\_ o'clock  am/  pm  
141 **Date** \_\_\_\_\_ **Date** \_\_\_\_\_

142 **9. RECEIPT AND ACKNOWLEDGEMENT OF BUYER:**

143 I acknowledge receipt of this Seller's Lot/Land Property Disclosure Statement. I understand that except as stated in the  
144 Lot/Land Purchase and Sale Agreement with Seller, the Property is being sold in its present condition only, without  
145 warranties or guarantees of any kind by Seller or Brokers. No representations concerning the condition of the Property  
146 are being relied upon by me except as disclosed herein or stated in the Lot/Land Purchase and Sale Agreement.

147 The party(ies) below have signed and acknowledge receipt of a copy.  
148 \_\_\_\_\_  
149 **BUYER** \_\_\_\_\_ **BUYER** \_\_\_\_\_  
150 \_\_\_\_\_ at \_\_\_\_\_ o'clock  am/  pm \_\_\_\_\_ at \_\_\_\_\_ o'clock  am/  pm  
151 **Date** \_\_\_\_\_ **Date** \_\_\_\_\_

*NOTE: This form is provided by TAR to its members for their use in real estate transactions and is to be used as is. By downloading and/or using this form, you agree and covenant not to alter, amend, or edit said form or its contents except as where provided in the blank fields, and agree and acknowledge that any such alteration, amendment or edit of said form is done at your own risk. Use of the TAR logo in conjunction with any form other than standardized forms created by TAR is strictly prohibited. This form is subject to periodic revision and it is the responsibility of the member to use the most recent available form.*

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