

# SELLER'S PROPERTY DISCLOSURE STATEMENT

(IT IS SUGGESTED THAT COPIES OF THIS DISCLOSURE BE AVAILABLE AT THE PROPERTY)

SELLER: Michael Fisher

Property Address: 4158 Forsythe Way

Date Property Purchased November 12, 2002 If improved, year built \_\_\_\_\_

**NOTICE TO SELLER:** Every SELLER is obligated to disclose to a BUYER all known facts that materially and/or adversely affect the value of the property being sold. This disclosure statement is intended to assist SELLER in complying with disclosure requirements and to assist BUYER in evaluating the property being considered. The listing broker, the selling broker and their respective salespersons will also rely upon this information when they evaluate, market and present SELLER'S property to prospective BUYERS.

**NOTICE TO BUYER:** This is a disclosure of SELLER'S knowledge of the condition of the property as of the date signed by the SELLER and is not a substitute for any inspections that BUYER may wish to obtain. It is not a warranty of any kind by SELLER or a warranty or representation by the listing broker, the selling broker, or their salespersons.

- If this property is unimproved, complete sections 15 to 19 only.
- When explanations are needed please give details such as location, extent, date, and name of repair persons. Use extra sheets if necessary.

## 1. OCCUPANCY

- (a) Does SELLER currently occupy this property?  Yes  No
- (b) If not, when did SELLER vacate property? \_\_\_\_\_
- (c) If property is vacant, provide date it was vacated. \_\_\_\_\_
- (d) Is the property tenant occupied?  Yes  No
- (e) If "Yes," is there a written lease?  Yes  No
- (f) Length of lease \_\_\_\_\_ Date lease ends: \_\_\_\_\_
- (g) Payment due under lease \_\_\_\_\_

## 2. STRUCTURAL ITEMS

- (a) Name of Contractor or Builder who built home, if known Sam Elliott
- (b) Are you aware of any past or present movement, shifting, deterioration, structural damage or other problems with walls or foundations?  Yes  No
- (c) Are you aware of any past or present cracks or flaws in the walls, foundation or other parts of property?  Yes  No
- (d) Are you aware of any past or present water leakage or intrusion in the property?  Yes  No
- (e) Are you aware of any past or present problems with driveways, walkways, patios, or retaining walls?  Yes  No
- (f) Have there been any repairs or other efforts to control the cause or effect of any problem described above?  Yes  No
- (g) Has there ever been a fire in this property?  Yes  No  Unknown
- (h) Are you aware of any problems with the fireplace?  Yes  No

If any of your answers are "Yes," explain in detail: \_\_\_\_\_

## 3. ADDITIONS / REMODELING

- (a) Have you made any additions, structural changes, or other alterations to the property?  Yes  No
- (b) If "Yes," explain: \_\_\_\_\_
- (c) If "Yes," did you obtain all necessary permits?  Yes  No Was all the work in compliance with building codes?  Yes  No  
If your answer is "No," explain: \_\_\_\_\_
- (d) Did the previous owners make any additions, structural changes, or other alterations to the property that you are aware of?  
 Yes  No  Unknown
- (e) If "Yes," explain: \_\_\_\_\_
- (f) Please provide the name of any Contractor or individual who did any additions, structural changes or other alterations to the property, if known. \_\_\_\_\_

Initials: MF

4. **ROOF**

- (a) Year roof put on 2002
- (b) Has the roof ever leaked during your ownership?  Yes  No
- (c) Has the roof been replaced or repaired during your ownership?  Yes  No  
If "Yes," provide name of Contractor or individual who did the work and details of replacement/repair \_\_\_\_\_
- (d) Do you know of any problems with the roof or gutters?  Yes  No  
If any of your answers are "Yes," explain in detail: \_\_\_\_\_

5. **SIDING**

- (a) Exterior siding material(s)  
 Brick     Wood     Vinyl     Stucco     Synthetic Stucco  
 Manufactured Siding     Other \_\_\_\_\_     Unknown
- (b) If manufactured siding, provide name of manufacturer, if known \_\_\_\_\_
- (c) Do you know of any problems/defects with the siding?  Yes  No
- (d) Have you filed any claims with manufacturers in regards to the siding?  Yes  No  
If any of your answers are "Yes," explain in detail: \_\_\_\_\_

6. **WINDOWS/DOORS/LOCKS**

- (a) Are the windows insulated glass?  Yes  No
- (b) If "Yes," are there any fogged windows?  Yes  No  Unknown  
If "Yes," which ones \_\_\_\_\_
- (c) Are any windows broken or cracked?  Yes  No  Unknown
- (d) Do all operable windows open, stay open, close and lock properly?  Yes  No  Unknown
- (e) Are any screens missing or damaged?  Yes  No  Unknown  
If "Yes," which ones \_\_\_\_\_
- (f) Do all doors operate properly?  Yes  No If no, explain in detail: \_\_\_\_\_
- (g) Do you have keys to all door locks?  Yes  No If no, explain: \_\_\_\_\_

7. **HEATING AND AIR CONDITIONING**

- (a) Air Conditioning:  Central Electric     Natural Gas     Window Units    Number units included in sale \_\_\_\_\_    Age of unit(s) \_\_\_\_\_
  - (b) Heating:  Central Electric     Central Electric Heat Pump     Fuel Oil     Natural Gas     Other \_\_\_\_\_
- Are you aware of any problems regarding these items?  Yes  No
- Have there been any repairs/replacement of these units during your ownership?  Yes  No (*warranties have 5 more years*)
- If "Yes," explain in detail: \_\_\_\_\_

Initials: *mdj*    *CPA-R/SK*

8. ELECTRICAL SYSTEM

- (a) Are you aware of any problems with the electrical system?  Yes  No
- (b) Who supplies electrical service:  City of Tallahassee  Talquin
- (c) Average utility bill? \$ 180 month (Electric, Water, Garbage pick up, Emergency Services, etc.)
- (d) Number of people living in property 2

Comments: All services included above including M&T garbage pick up

9. PLUMBING

- (a) Are you aware of any problems with the plumbing system?  Yes  No
- (b) Are you aware of any polybutelene pipes?  Yes  No
- (c) Are you aware of any leaks, back-ups, water, and sewer/septic tank problems?  Yes  No
- (d) What is your water supply source:  Public  Community Well  Well on Property
- (e) If your water is from a well, have there ever been repairs/replacements to the well or pump?  Yes  No  Unknown
- (f) Has the well water ever been tested?  Yes  No  Unknown Test Results: \_\_\_\_\_
- (g) Do you have a water softener?  Yes  No If "Yes," is the system  Owned  Leased
- (h) What is the type of sewage system do you have?  Public  Community Sewer  Septic Tank(s) How Many \_\_\_\_\_  
Location(s) \_\_\_\_\_ When was septic tank last pumped? \_\_\_\_\_  
During your ownership have there been any septic system problems?  Yes  No
- (i) Type of water heater?  Gas  Electric  Solar Number of Water Heaters? \_\_\_\_\_ Number of gallons? 50  
Is it on a timer?  Yes  No Age of water heater(s) 2002

If any of your answers are "Yes," explain in detail: \_\_\_\_\_

10. OTHER EQUIPMENT AND APPLIANCES INCLUDED IN SALE (Subject to final negotiated contract)

Mark the items included in the sale of your property:

- Electric Garage Door Opener Number of transmitters? \_\_\_\_\_
- Smoke Detector(s) How many? \_\_\_\_\_
- Refrigerator  Refrigerator w/ice maker  Ice Maker  Range  Oven
- Microwave Oven  Dishwasher  Garbage Disposal
- Trash Compactor  Intercom  Washer  Dryer
- Ceiling Fan(s) Number of fans? 5  Central Vacuum
- Fireplace insert  Sprinkler system
- Oil/Propane Tanks  Owned  Leased, If leased, from whom \_\_\_\_\_ Cost \_\_\_\_\_
- Security System  Owned  Leased, If leased, from whom \_\_\_\_\_ Cost \_\_\_\_\_
- Other: Chandelier, Window treatments

If any of these items have been replaced during your ownership, which items and what year: Added NOT Replaced

If any of these items have any defects, explain in detail: \_\_\_\_\_

11. POOL / SPA / HOT TUB (Complete if applicable) N/A

- (a)  POOL year installed \_\_\_\_\_  
 In ground:  gunnite  fiberglass  vinyl age of liner \_\_\_\_\_  
 Above ground
- (b) Pool heater:  none  gas  electric  solar
- (c) Pool pump: year installed \_\_\_\_\_ Filter type: \_\_\_\_\_ year installed \_\_\_\_\_
- (d) Is pool equipment included?  Yes  No  
If "Yes," itemize: \_\_\_\_\_
- (e) Is there an automatic pool cleaner?  Yes  No If yes, manufacturer name \_\_\_\_\_

11. POOL / SPA / HOT TUB (Complete if applicable) CONTINUED

- (f)  SPA/HOT TUB year installed \_\_\_\_\_
- (g) Spa heater:  none  gas  electric  solar
- (h) Is Spa equipment included?  Yes  No

If "Yes," itemize: \_\_\_\_\_

If you are aware of any problems with any of the items above, please explain in detail: \_\_\_\_\_

12. EXCLUSIONS/LEASED SYSTEMS

- (a) Is there anything on or about the property excluded from the sale?  Yes  No

If "Yes," itemize Washer/Dryer

- (b) Are there any other leased systems that are not addressed elsewhere in the disclosure?  Yes  No

If "Yes," itemize: \_\_\_\_\_

13. CRAWL SPACES AND BASEMENTS (Complete if applicable) N/A

- (a) Has there ever been any water leakage, accumulation of water or dampness in the basement or crawl space?  Yes  No
- (b) Have there been any repairs or other attempts to control any water or dampness problems in the basement or crawlspace?  Yes  No

If any of your answers are "Yes," explain in detail: \_\_\_\_\_

14. WOOD DESTROYING ORGANISMS

- (a) Have termites or any wood destroying insects affected the property during your ownership?  Yes  No
- (b) Has wood rot affected the property during your ownership?  Yes  No Contractor replaced porch column
- (c) Has there ever been any damage to the property caused by termites or wood destroying insects during your ownership?  Yes  No
- (d) Has there ever been any damage to the property caused by wood rot during your ownership?  Yes  No
- (e) Is the property currently under bond for a wood destroying insect from a licensed pest control company?  Yes  No  
What type of bond? \_\_\_\_\_ What company? \_\_\_\_\_
- (f) Do you know of any wood destroying organisms reports on the property in the last five years?  Yes  No

If any of your answers are "Yes," explain in detail: \_\_\_\_\_

15. SOIL / DRAINAGE / BOUNDARIES

- (a) Is there any fill or pipe clay on the property?  Yes  No  Unknown
- (b) Has there been any settling or earth movement on the property or in the immediate neighborhood?  Yes  No  Unknown
- (c) Is the property located in a flood hazard area?  Yes  No  Unknown  
Flood zone, if known \_\_\_\_\_
- (d) Is flood insurance required by your lender?  Yes  No
- (e) Have there been any past or present drainage or flood problems affecting the property or adjacent properties?  Yes  No  Unknown
- (f) Are there any encroachments, exencroachments, boundary line disputes, or easements affecting the property?  Yes  No  Unknown
- (g) Are there any shared driveways, fences or joint use agreements?  Yes  No
- (h) Who owns any fences? Fences in back are shared (Fences are owned by Seller -

If any answers are "Yes," explain in detail: that is, fences on East, West, & South are owned by Seller, fence on North is shared

Initials: [Signature] [Signature]

16. TOXIC SUBSTANCES

- (a) Are you aware of any hazardous materials in, on or about the property? (Hazardous Materials may include but shall not be limited to: lead-based paint, asbestos materials, asbestos siding, mold, and buried oil, fuel or other storage tanks)  Yes  No
- (b) Are you aware of the property ever being tested for radon, mold or any other toxic substances?  Yes  No

If any answers are "Yes," explain in detail: \_\_\_\_\_

17. NEIGHBORHOOD

- (a) Are you aware of any proposed change or condition in your neighborhood that could affect the value or desirability of the property?  Yes  No

(b) If "Yes," explain in detail: \_\_\_\_\_

18. HOMEOWNERS' ASSOCIATIONS / COMMUNITY DISCLOSURE

IF THE DISCLOSURE SUMMARY REQUIRED BY SECTION 689.26, FLORIDA STATUTES, HAS NOT BEEN PROVIDED TO THE PROSPECTIVE PURCHASER BEFORE EXECUTING A CONTRACT FOR SALE, THE CONTRACT IS VOIDABLE BY BUYER BY DELIVERING TO SELLER OR SELLER'S AGENT WRITTEN NOTICE OF THE BUYER'S INTENTION TO CANCEL WITHIN 3 DAYS AFTER RECEIPT OF THE DISCLOSURE SUMMARY OR PRIOR TO CLOSING, WHICHEVER OCCURS FIRST. ANY PURPORTED WAIVER OF THIS VOIDABILITY RIGHT HAS NO EFFECT. BUYER'S RIGHT TO VOID CONTRACT SHALL TERMINATE AT CLOSING.

Disclosure Summary For Forsyth Oaks (Name of Community)

- 1. AS A BUYER OF PROPERTY IN THIS COMMUNITY, YOU  WILL  WILL NOT BE OBLIGATED TO BE A MEMBER OF A HOMEOWNERS' ASSOCIATION ("ASSOCIATION").
- 2. THERE HAVE BEEN OR WILL BE RECORDED RESTRICTIVE COVENANTS ("COVENANTS") GOVERNING THE USE AND OCCUPANCY OF PROPERTIES IN THIS COMMUNITY.
- 3. YOU  WILL  WILL NOT BE OBLIGATED TO PAY ASSESSMENTS TO THE ASSOCIATION. *Approximately \$100/yr.*  
? YOU  WILL  WILL NOT BE OBLIGATED TO PAY SPECIAL ASSESSMENTS TO THE RESPECTIVE MUNICIPALITY, COUNTY, OR SPECIAL DISTRICT. ALL ASSESSMENTS ARE SUBJECT TO PERIODIC CHANGE.
- 4. YOUR FAILURE TO PAY SPECIAL ASSESSMENTS OR ASSESSMENTS LEVIED BY A MANDATORY HOMEOWNERS' ASSOCIATION COULD RESULT IN A LIEN ON YOUR PROPERTY.
- 5. THERE  IS  IS NOT AN OBLIGATION TO PAY RENT OR LAND USE FEES FOR RECREATIONAL OR OTHER COMMONLY USED FACILITIES AS AN OBLIGATION OF MEMBERSHIP IN THE HOMEOWNERS' ASSOCIATION. (If such obligation exists, then the amount of the current obligation is \$ \_\_\_\_\_).
- 6. THE COVENANTS  CAN  CANNOT BE AMENDED WITHOUT THE APPROVAL OF THE ASSOCIATION MEMBERSHIP OR, IF NO MANDATORY ASSOCIATION EXISTS, PARCEL OWNERS.
- 7. THE STATEMENTS CONTAINED IN THIS DISCLOSURE FORM ARE ONLY SUMMARY IN NATURE, AND, AS A PROSPECTIVE PURCHASER, YOU SHOULD REFER TO THE COVENANTS AND THE ASSOCIATION GOVERNING DOCUMENTS BEFORE PURCHASING PROPERTY.
- 8. THESE DOCUMENTS ARE MATTERS OF PUBLIC RECORD AND CAN BE OBTAINED FROM THE RECORD OFFICE IN THE COUNTY WHERE THE PROPERTY IS LOCATED.

If the property is part of an association, complete the following:

- (a) What is the annual fee? \$ 100 How is it paid?  monthly  yearly  other \_\_\_\_\_
- (b) What does the annual fee cover? I believe maintenance of drainage, curbs, and the like
- (c) Are fees current?  Yes  No
- (d) Who is the contact person for the association? Diane Russell ? Phone # ?
- (e) Are there any defects, damages, legal actions, conditions or assessments that may affect the association or its fees?  Yes  No
- (f) Are you aware if the property has any violations of the restrictive covenants?  Yes  No
- (g) If "Yes," explain in detail: \_\_\_\_\_

Initials: mlc CHASIDW

**19. OTHER MATTERS**

- (a) Does anyone have a first right of refusal to buy or an option to buy to this property?  Yes  No
- (b) Is there any existing or threatened legal action affecting the property?  Yes  No
- (c) Are you aware of any zoning violation, non-conforming use, set back violations, or proposed zoning or road changes?  Yes  No
- (d) Are you aware of any violations of local, state, or federal laws or regulations relating to this property?  Yes  No
- (e) Is there anything else you feel you should disclose to a prospective buyer that may materially and/or adversely affect the value or desirability of the property?  Yes  No
- (f) If "Yes," explain in detail: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

The undersigned SELLER represents that the information set forth in the foregoing property disclosure statement is accurate and complete to the best of the SELLER'S knowledge. SELLER does not intend this property disclosure statement to be a warranty or guaranty of any kind. SELLER hereby authorizes Listing Broker to provide this information to prospective BUYERS and to other real estate brokers and other agents.

SELLER understands and agrees that SELLER will immediately notify Listing Broker in writing if any information set forth in this property disclosure changes.

Seller: Michael Fisher Date: 4/5/06

Seller: Christie A. Fisher Date: 4/5/06

**RECEIPT AND ACKNOWLEDGMENT BY BUYER**

BUYER hereby acknowledges receipt of a copy of this property disclosure. BUYER furthermore acknowledges BUYER has been in and upon subject property. BUYER is strongly advised to obtain property inspection(s) as provided for in the Deposit Receipt and Contract for Sale and Purchase. BUYER should select professionals with appropriate qualifications to conduct inspections. BUYER is advised that some properties may have siding materials (such as, but not limited to, Louisiana Pacific and Synthetic Stucco) that have failed the manufacturer's warranties and/or have been known to have defects, and that inspection is one way to identify this and determine what conditions these materials may be in. BUYER is aware that this property disclosure is not intended as a warranty or guaranty of any kind by SELLER. The Brokers and their salespersons do not warrant or guarantee the condition of the property and are in no way responsible for the condition of the property. BUYER understands that the property is being sold in its present condition unless otherwise agreed upon in the Deposit Receipt and Contract for Sale and Purchase. BUYER acknowledges no representations concerning the condition of the property are being relied upon by BUYER except as disclosed herein or in the Deposit Receipt and Contract for Sale and Purchase.

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_

Buyer: \_\_\_\_\_ Date: \_\_\_\_\_