

# CRYE-LEIKE

REAL ESTATE SERVICES

## DISCLAIMER NOTICE

(a copy of this Notice, with receipt acknowledged by buyers and sellers must be attached to any contract involving CRYE-LEIKE, its licensees, and any cooperating Broker.)

The Brokers and their affiliated licensees (hereinafter collectively "Licensees") involved in the Purchase and Sale Agreement (hereinafter "Agreement") regarding real estate located at 3332 OAKWOOD ROAD (hereinafter "Property") are not attorneys and are not structural or environmental engineers. They are engaged in bringing together buyers and sellers in real estate transactions. Licensees expressly deny any expertise with respect to advice or informed opinions regarding any of the following matters. This Notice is an express warning to all sellers and buyers that they should not rely on any statement, comment or opinion expressed by any Licensee when making decisions about any of the following matters, including the selection of any professional to provide services on behalf of buyers or sellers. Any professional selected by buyers or sellers should be an "independent qualified professional", who complies with all applicable state/local requirements, which may include, licensing, insurance, and bonding requirements. It is strongly recommended that buyers include contingency clauses in their offers to purchase with respect to these or any other matters of concern and that buyers, in writing the offer, allow enough time to get an evaluation of the following matters from an independent qualified professional. The matters listed below are not an exclusive list of actions or circumstances which are not the responsibility of the Licensees with whom you work. These items are examples and are provided only for your guidance and information.

**SQUARE FOOTAGE.** There are many sources of square footage. Information is sometimes gathered from tax or real estate records on the property. Square footage provided by builders, real estate licensees, or tax records is only an estimate with which to make comparisons, but it is not guaranteed. If knowing square footage is important to you, it is advised that you have a licensed appraiser determine actual square footage.

**SURVEY, BOUNDARY LINES, ENCROACHMENTS, AND ACREAGE.** Reliance on previous surveys, MLS data, mortgage loan inspection surveys, or plat data that may be acceptable to your mortgage company is not encouraged. Consult with a licensed surveyor for a property assessment like a full stake boundary line survey with all easements, flood plain areas etc. clearly identified.

**THE STRUCTURAL, ENVIRONMENTAL OR OTHER CONDITIONS OF THE PROPERTY.** Consult with professional engineers, industrial hygienists, or other independent qualified professionals to ascertain the existence of structural issues, the condition of synthetic stucco (E.I.F.S.), or the presence of wood destroying organisms, other pests or infestations, radon, mold, asbestos, lead paint, noise levels, gas, byproducts of methamphetamine production, landfills, high voltage electricity, or any other potential hazardous property conditions.

**THE CONDITION OF ROOFING.** Consult with a licensed and bonded roofing company for any concerns about the condition of the roof.

**HOME INSPECTION.** We strongly recommend that you have a home inspection, which is a useful tool for determining the overall condition of a home including, but not limited to, electrical, heating, air conditioning, plumbing, water heating systems, fireplaces, windows, doors, and appliances. Contact several sources (like the American Society of Home Inspectors, National Association of Home Inspectors, and National Association of Certified Home Inspectors) and independently investigate the competency of an inspector, including whether he/she has complied with State and/or local licensing and registration requirements, if any, in your area. The home inspector may, in turn, recommend further examination by a specialist (heating-air-plumbing, etc.). Failure to inspect typically means that you are accepting the property "as-is".

**UTILITY CONNECTIONS AND/OR SEPTIC CAPABILITY.** Licensees have not made any independent investigation or determination as to the location, existence or identification of the property's connection to a public sewer line or private septic system. The following is strongly recommended: (i) a current Certification Letter for water supply and/or septic system, whether required by the lender or not, (ii) questions concerning utility connections be verified with the utility company involved, and (iii) issues involving septic capability be addressed by a soil scientist or the county department that governs the approval of septic systems to insure that the septic system can accommodate the size of the home and is in good working order.

**FLOODING, DRAINAGE, AND REQUIREMENTS AS TO FLOOD INSURANCE.** As neighborhoods are developed, the risk of flooding may increase and drainage or storm run-off pathways may change. Have a civil engineer, landscape architect, or other independent qualified professional determine these risks for you. Be sure to check with the requisite governmental authorities regarding flood insurance requirements if you are not obtaining a flood certification in conjunction with a loan.

**COVENANTS, RESTRICTIONS OR ZONING/CITY ORDINANCES.** These items need to be verified by the appropriate source in writing. Licensees may give directions with respect to where this can be found out, but cannot know about the latest changes that may affect the uses to which you can put your property. If your projected use requires a zoning or other change, then wait until the change has been approved and is in effect before committing to a property. Certain cities require "the current" owner to replace damaged sidewalks and inlets. Have sidewalks and inlets inspected and address any repair concerns in the Agreement.

**THE VALUE, INVESTMENT POTENTIAL OR RESALE VALUE OF PROPERTY.** Unexpected and unforeseeable things happen that can effect the value of property. An estimate of value (good for one day) can be obtained through the services of a licensed appraiser. Not even a professional appraiser claims to know the future value of a property. Note: a Comparative Market Analysis (CMA), Broker's Price Opinion (BPO) etc. often used to set an asking price, is not an appraisal.

**SCHOOL DISTRICT BOUNDARIES/ZONING OR OTHER INFORMATION.** Contact the city and/or county school districts to ascertain boundary/zoning restrictions and other information regarding schools in or around the Property.

**SEX OFFENDERS, FELONS AND OTHER CRIME CONSIDERATIONS.** Contact local law enforcement or other community crime prevention resources to inquire about crime rates/statistics, registration of sex offenders in the area, if any, criminal activity at or near the property, and any other crime or safety related data of importance to you.

If any of the above matters are of concern to you or if you have tax or legal questions regarding any offers, contracts, title or ownership issues, or any other matters of concern, including those itemized in this Disclaimer Notice, then Licensees strongly advise you to seek the counsel and advice of independent qualified professionals in these fields, i.e. engineers, tax specialists, attorneys etc. The Licensees are not "independent qualified professionals" in any of these matters and do not assume any liability for any of these matters or for the actions or inaction of any professional that you utilize with respect to these matters.

By signing below, the buyers and sellers of the Property acknowledge that they have not relied upon the advice, casual comments, verbal representations, or recommendations (other than those recommendations expressly set forth herein) of any Licensees relative to any of these matters. Further, buyers and sellers understand that the only recommendation of the Licensees involved in this transaction with respect to any and all of these matters is that they secure the services of a licensed, bonded, and insured independent qualified professional for answers to their questions and advice about their concerns.

By signing below, the undersigned acknowledge that they have read, understood, and received a copy of this Notice.

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

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

Selling Agent/Company \_\_\_\_\_ (print name)

Seller Steven D. Shott

Seller Lori L. Shott

Listing Agent/Company RETH L. DUFFY (print name) 7/09

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