

# APPENDIX A. RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT [NEW]

**Notice to Seller:** Oklahoma Law (the "Residential Property Condition Disclosure Act," Title 60, O.S., Sections 831 et seq., effective July 1, 1995) requires Sellers of 1 and/or 2 residential dwelling units to complete this form. A Seller must complete, sign and date this disclosure form and deliver it or cause it to be delivered to a Purchaser as soon as practicable, but in any event no later than before an offer is accepted by the Seller. If the Seller becomes aware of a defect after delivery of this statement, but before the Seller accepts an offer to purchase, the Seller must deliver or cause to be delivered an amended disclosure statement disclosing the newly discovered defect to the Purchaser. If the disclosure form or amendment is delivered to a Purchaser after an offer to purchase has been made by the Purchaser, the offer to purchase shall be accepted by the Seller only after a Purchaser has acknowledged receipt of this statement and confirmed the offer to purchase in writing.

**Notice to Purchaser:** The declarations and information contained in this disclosure statement are not warranties, express or implied of any kind, and are not a substitute for any inspections or warranties the purchaser may wish to obtain. The information contained in this disclosure statement is not intended to be a part of any contract between the Purchaser and Seller. The information and statements contained in this disclosure statement are declarations and representations of the Seller and are not the representations of the real estate licensee.

**Instructions to the Seller:** (1) Answer ALL questions. (2) Report known conditions affecting the property. (3) Complete this form yourself. (4) If some items do not apply to your property, circle N/A (not applicable). If you do not know the facts, circle Unk (unknown). (5) The date of completion by you may not be more than 180 days prior to the date this form is received by a purchaser.

**LOCATION OF SUBJECT PROPERTY:** 849 Mossy Glen, Atoak, OK 74725

**SELLER IS**    **IS NOT** X **OCCUPYING THE SUBJECT PROPERTY.**

**Appliances/Systems/Services:** (The items below are in **NORMAL** working order)

<u>Circle below</u>				<u>Circle below</u>					
Sprinkler System	N/A	Yes	<u>No</u>	Unk	Humidifier	N/A	Yes	<u>No</u>	Unk
Swimming Pool	N/A	Yes	<u>No</u>	Unk	Gas Supply	N/A	<u>Yes</u>	No	Unk
Hot Tub/Spa	N/A	Yes	<u>No</u>	Unk	<u>  </u> Public <u>X</u> Propane	<u>rented tank</u>			
Water Heater	N/A	<u>Yes</u>	No	Unk	<u>  </u> Butane				
<u>X</u> Electric <u>  </u> Gas					Propane Tank	N/A	<u>Yes</u>	No	Unk
<u>  </u> Solar					<u>X</u> Leased <u>  </u> Owned				
Water Purifier	N/A	Yes	<u>No</u>	Unk	Ceiling Fans	N/A	<u>Yes</u>	No	Unk
Water Softener	N/A	Yes	<u>No</u>	Unk	Electric Air Purifier	N/A	<u>Yes</u>	<u>No</u>	Unk
<u>  </u> Leased <u>  </u> Owned					Garage Door Opener/				
Sump Pump	N/A	Yes	<u>No</u>	Unk	Control	N/A	Yes	<u>No</u>	Unk
Plumbing	N/A	<u>Yes</u>	No	Unk	Intercom	N/A	Yes	<u>No</u>	Unk
Whirlpool Tub	N/A	Yes	<u>No</u>	Unk	Central Vacuum	N/A	Yes	<u>No</u>	Unk
Sewer System	N/A	<u>Yes</u>	No	Unk	Security System	N/A	Yes	<u>No</u>	Unk
<u>  </u> Public <u>  </u> Septic					<u>  </u> Rent <u>  </u> Own				
<u>  </u> Lagoon <u>Aerobic installed June '13</u>					<u>  </u> Monitored				
Air Conditioning					Smoke Detectors	N/A	<u>Yes</u>	No	Unk
System	N/A	<u>Yes</u>	No	Unk	Dishwasher	N/A	Yes	<u>No</u>	Unk
<u>  </u> Electric <u>  </u> Gas					Electrical Wiring	N/A	<u>Yes</u>	No	Unk
<u>  </u> Heat Pump					Garbage Disposal	N/A	Yes	<u>No</u>	Unk
Window Air					Gas Grill	N/A	Yes	<u>No</u>	Unk
Conditioner(s)	N/A	<u>Yes</u>	No	Unk	Vent Hood	N/A	Yes	<u>No</u>	Unk
Attic Fan	N/A	Yes	<u>No</u>	Unk	Microwave Oven	N/A	Yes	<u>No</u>	Unk
Fireplaces	N/A	Yes	<u>No</u>	Unk	Built-in Oven/Range	N/A	Yes	<u>No</u>	Unk
Heating System	N/A	<u>Yes</u>	No	Unk	Kitchen Stove	N/A	Yes	<u>No</u>	Unk
<u>  </u> Electric <u>X</u> Gas <u>propane</u>					Trash Compactor	N/A	Yes	<u>No</u>	Unk
<u>  </u> Heat Pump									

Seller's Initials [Signature] Seller's Initials             
(OREC-7/12)

Buyer's Initials [Signature] Buyer's Initials           

Page 1 of 3



Source of Household Water

☒ Public ☒ Private ☒ Well ☒ Yes ☐ No ☐ Unk

Other Items \_\_\_\_\_ Yes No Unk

Other \_\_\_\_\_ Yes No Unk

Other \_\_\_\_\_ Yes No Unk

IF YOU HAVE ANSWERED NO to any of the above, please explain. Attach additional pages with your signature(s).**Zoning, Flood and Water**

Circle below

1. Property is zoned: (Check one) ☒ residential ☐ commercial ☐ historical ☒ agricultural ☐ industrial ☐ office ☐ urban conservation ☐ other ☐ unknown2. What is the flood zone status of the property? on appraisal

3. Are you aware of any flood insurance requirements concerning the property?

Yes ☒ No ☐ Unk

4. Do you have flood insurance on the property?

Yes ☒ No ☐ Unk

5. Has the property been damaged or affected by flood, storm run-off, sewer backup, drainage or grading problems?

Yes ☒ No ☐ Unk

6. Are you aware of any surface or ground water drainage systems which assist in draining the property, e.g. french drains?

Yes ☒ No ☐ Unk

7. Has there been any occurrence of water in the heating and air conditioning duct system?

Yes ☒ No ☐ Unk

8. Are you aware of water seepage, leakage or other drainage problems in any of the improvements on the property?

Yes ☒ No ☐ Unk**Additions/Alterations/Repairs**

9. Have any additions or alterations been made without required permits?

Yes ☒ No ☐ Unk

10. Are you aware of previous foundation repairs?

Yes ☒ No ☐ Unk

11. Are you aware of any alterations or repairs having been made to correct defects or problems?

Yes ☒ No ☐ Unk

12. Are you aware of any defect or condition affecting the interior or exterior walls, ceilings, slab/foundation, basement/storm cellar, floors, windows, doors, fences or garage?

Yes ☒ No ☐ Unk

13. Has the roof ever been repaired or replaced during your ownership of the property?

Yes ☒ No ☐ Unk

14. Approximate age of roof, if known \_\_\_\_\_ number of layers, if known \_\_\_\_\_

15. Do you know of any current problems with the roof?

Yes ☒ No ☐ Unk

16. Are you aware of treatment for termite or wood-destroying organism infestation?

Yes ☒ No ☐ Unk

17. Do you have a termite bait system installed on the property?

Yes ☒ No ☐ Unk

18. If yes, is it monitored by a licensed exterminating company?

(Check one) ☐ yes ☐ no Annual cost \$ \_\_\_\_\_

19. Are you aware of any damage caused by termites or wood-destroying organisms?

Yes ☒ No ☐ Unk

20. Are you aware of major fire, tornado, hail, earthquake or wind damage?

Yes ☒ No ☐ Unk

21. Are you aware of problems pertaining to sewer, septic, lateral lines or aerobic system?

Yes ☒ No ☐ Unk**Environmental**

22. Are you aware of the presence of asbestos?

Yes ☒ No ☐ Unk

23. Are you aware of the presence of radon gas?

Yes ☒ No ☐ Unk

24. Have you tested for radon gas?

Yes ☒ No ☐ Unk

25. Are you aware of the presence of lead-based paint?

Yes ☒ No ☐ Unk

26. Have you tested for lead-based paint?

Yes ☒ No ☐ Unk

27. Are you aware of any underground storage tanks on the property?

Yes ☒ No ☐ Unk

28. Are you aware of the presence of a landfill on the property?

Yes ☒ No ☐ Unk

29. Are you aware of existence of hazardous or regulated materials and other conditions having an environmental impact?

Yes ☒ No ☐ Unk

30. Are you aware of existence of prior manufacturing of methamphetamine?

Yes ☒ No ☐ Unk

31. Have you had the property inspected for mold?

Yes ☒ No ☐ Unk

32. Have you had any remedial treatment for mold on the property?

Yes ☒ No ☐ Unk

33. Are you aware of any condition on the property that would impair the health or safety of the occupants?

Yes ☒ No ☐ Unk**Property Shared in Common, Easements, Homeowner's Association, Legal**

34. Are you aware of features of the property shared in common with adjoining landowners, such as fences, driveways, and roads whose use or responsibility has an affect on the property?

Yes ☒ No ☐ Unk

35. Other than utility easements serving the property, are you aware of easements or right-of-ways affecting the property?

Yes ☒ No ☐ UnkSeller's Initials BS Seller's Initials \_\_\_\_\_

Buyer's Initials \_\_\_\_\_ Buyer's Initials \_\_\_\_\_

(OREC-7/12)

Page 2 of 3



36. Are you aware of encroachments affecting the property? Yes ☐ No ☒ Unk ☐
37. Are you aware of a mandatory homeowner's association? Yes ☐ No ☒ Unk ☐  
 Amount of dues \$ \_\_\_\_\_ Special Assessment \$ \_\_\_\_\_  
 Payable: (Check one) \_\_\_\_\_ monthly \_\_\_\_\_ quarterly \_\_\_\_\_ annually  
 Are there unpaid dues or assessments for the Property? (Check one) \_\_\_\_\_ yes \_\_\_\_\_ no  
 If yes, amount \$ \_\_\_\_\_ Manager's Name: \_\_\_\_\_  
 Phone No. \_\_\_\_\_
38. Are you aware of any zoning, building code or setback requirement violations? Yes ☐ No ☒ Unk ☐
39. Are you aware of any notices from any government or government-sponsored agencies or any other entities affecting the property? Yes ☐ No ☒ Unk ☐
40. Are you aware of any filed litigation or lawsuit(s), directly or indirectly, affecting the property, including a foreclosure? Yes ☐ No ☒ Unk ☐
41. Is the property located in a fire district which requires payment? Yes ☐ No ☒ Unk ☐  
 Amount of fees \$ \_\_\_\_\_ To Whom Paid \_\_\_\_\_  
 Payable: (Check one) \_\_\_\_\_ monthly \_\_\_\_\_ quarterly \_\_\_\_\_ annually
42. Is the property located in a private utility district? Yes ☐ No ☒ Unk ☐  
 (Check applicable) water \_\_\_\_\_ garbage \_\_\_\_\_ sewer \_\_\_\_\_ other \_\_\_\_\_  
 If other, explain: \_\_\_\_\_  
 Initial membership fee \$ \_\_\_\_\_ annual membership fee \$ \_\_\_\_\_  
 (If more than one (1) utility, attach additional pages.)

**Miscellaneous**

43. Are you aware of other defect(s), affecting the property, not disclosed above? Yes ☐ No ☒ Unk ☐
44. Are you aware of any other fees or dues required on the property that you have not disclosed? Yes ☐ No ☒ Unk ☐

If you answered "YES" to any of the items 1- 44 above, list the item number(s) and explain. (If needed, attach additional pages, with your signature(s), date(s) and location of subject property.

On the date this form is signed, the seller states that based on seller's **CURRENT ACTUAL KNOWLEDGE** of the property, the information contained above is true and accurate.

Are there any additional pages attached to this disclosure (circle one): Yes No. If yes, how many? \_\_\_\_\_

Seller's Signature

Date

Seller's Signature

Date

**A real estate licensee has no duty to the Seller or the Purchaser to conduct an independent inspection of the property and has no duty to independently verify the accuracy or completeness of any statement made by the seller in this disclosure statement.**

The Purchaser understands that the disclosures given by the Seller on this statement is not a warranty of condition. The Purchaser is urged to carefully inspect the property and, if desired, to have the property inspected by a licensed expert. For specific uses, restrictions and flood zone status, contact the local planning, zoning and/or engineering department. The Purchaser acknowledges that the Purchaser has read and received a signed copy of this statement. This completed acknowledgement should accompany an offer to purchase on the property identified. This is to advise that this disclosure statement is not valid after 180 days from the date completed by the Seller.

Purchaser's Signature

Date

Purchaser's Signature

Date

The disclosure and disclaimer statement forms and the Oklahoma Residential Property Condition Disclosure Act information pamphlet are made available at the Oklahoma Real Estate Commission (OREC), Denver N. Davison Building, 1915 N. Stiles, Suite 200, Oklahoma City, Oklahoma 73105, or visit OREC's Web site [www.orec.ok.gov](http://www.orec.ok.gov).

## Utility Bill Information

Seller(s) Barbara L Smith

Address: 849 Mossy Glen, Atoak, OK 74725

## Monthly Utility Averages

Electric \$ 75.00

Water/Trash \$ 30.00

Gas \$ 50.00

## Other Important Information

Cable/Satellite Company Dish

Internet Provider Hughes Net

Elementary School Harmony HS Atoka

Phone Company AT&T

Water Company Atoka Rural # 4

Trash Company Bokchito Sanitation

Propane Company \_\_\_\_\_

Electric Company Southeastern Electric Co op

Gas Company Tank Leased Eaves Propane



Address: 849 Mossy Glen, Afton, OK 74725 (Property)

## SQUARE FOOTAGE ACKNOWLEDGEMENT

Square footage measurements of a Property (intended to include a residential dwelling, improvements and lot; vacant lot; acreage; or leased residential property) can vary from a few feet to several hundred feet, regardless of the source of information, and may be affected by alterations or the manner in which the Property was measured. There is no single uniform system for the precise measurement of a Property. There are often discrepancies and inaccuracies in measurements of the Property.

The Broker/Associate (intended to include Listing Broker/Associate, Selling Broker/Associate, and Leasing Broker/Associate) has not measured the Property. The Broker/Associate makes no representation or warranty, expressed or implied, of the size of the Property or the accuracy of any measurements of the Property.


- ✓ Square footage measurements can vary greatly and the Broker/Associate only reports information contained in any appraisals of the Property provided by the Seller/Lessor, builder plans or permits, and public tax records.
- ✓ The Broker/Associate has no duty or obligation to independently investigate or measure the size of the Property.
- ✓ The Broker/Associate has no duty or obligation to independently verify the accuracy of square footage measurements contained in any appraisals of the Property provided by the Seller/Lessor, builder plans or permits, or public tax records.
- ✓ In making the decision to purchase/lease, Buyer/Lessee is not relying on the square footage measurements of the Property contained in any document, appraisal, report, advertisement, multiple listing service report, or other information provided by the Broker/Associate.

As Buyer/Lessee, it is your right to determine and satisfy for yourself the square footage (size) of the Property. You have the right to measure or to hire your own professional or other individual you believe capable of measuring the Property. Such measurements must be completed within the Investigation, Inspections and Reviews time period provided for in the Contract of Sale of Real Estate or the lease contract.

By signing below Buyer/Lessee acknowledges having received, read and signed this Square Footage Acknowledgement prior to entering into a contract for the purchase/lease of the Property.

\_\_\_\_\_  
Buyer/Lessee Signature (Date) Buyer/Lessee Signature (Date)

Seller/Lessor acknowledges receipt of signed Square Footage Acknowledgement with Buyer's/Lessee's offer to purchase/lease the Property.

  
\_\_\_\_\_  
Seller/Lessor Signature (Date)  
Barbara L. Smith

  
\_\_\_\_\_  
Seller/Lessor Signature (Date)  
Kathleen Davis

(This form, after signed by Buyer/Lessee, is to be presented with offer to purchase/lease to Seller/Lessor)

Square Footage Acknowledgement 09/10 – Oklahoma Association of REALTORS®

Coldwell Banker Van Meter Rader 419 W Main Durant, OK 74701

Phone: (580)380-9878

Fax: (580)924-8468

Kathleen Davis

Smith, Barbara

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