

## TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

7 he 7	(Chec	IF NC	DATE	SELL	PROP
The Terrasmo Peridontial Deposit, Dictional Act anning calling of mail and a second calling of the second call	(Check the one that applies) The property is a Diste-built home	TOWNER-OCCUPIED,	SELLER ACQUIRED T	SELLIER'S NAME(S) Lillan Fikes	PROPERTY ADDRESS 417 Winding Lane
	The property is a	HOW LONG HAS	HE PROPERTY _	han Fik	1 Windin
(	bite-built ho	IT BEEN SINCE	2006	25	g Lone
		THE SELLER	O DO YOU O		
	□ non-site-built home	IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPIED THE PROPERTY?	DATE SELLER ACQUIRED THE PROPERTY 2006 DO YOU OCCUPY THE PROPERTY? YES	PROPERTY AGE 1978	CITY Sparte
		RTY?	rox	田 1978	a tract

<del>1</del> 10 9 8 http://www.state.tn.us/commerce/boards/trec/index.shtml. units to furnish to a buyer one of the following: (1) a residential property disclosure statement (the "Disclosure"), or (2) a residential property disclaimer statement (permitted only where the buyer waives the required Disclosure). Some property transfers may be exempt from this requirement (see Tenn. Code Ann. § 66-5-209). The following is a summary of the buyers' and sellers' rights and obligations under the Act. A complete copy of the Act may be found at:

- 13 12 Sellers must disclose all known material defects and must answer the questions on the Disclosure form in good faith to the best of the seller's knowledge as of the Disclosure date.
- 4 Sellers must give the buyers the Disclosure form before the acceptance of a purchase contract.
- 6 15 ယ Sellers must inform the buyers, at or before closing, of any inaccuracies or material changes in the ccurred since the time of the initial Disclosure, or certify that there are no changes. condition that have
- 19 쯍 17 4 Sellers may give the buyers a report or opinion prepared by a professional inspector or other expert(s) information provided by a public agency, in lieu of responding to some or all of the questions on the form Code Ann. § 66-5-204). (See certain e Tenn.
- 20 Ċ Sellers are not required to have a home inspection or other investigation in order to complete the Disclosure form.
- 22 9 agreed to in the purchase contract. Sellers are not required to repair any items listed on the disclosure form or on any past or future inspection report unless
- 23 24 Sellers involved in the first sale of a dwelling must disclose the amount of any impact fees or adequate facility taxes
- 25 26 27  $\infty$ occurrence which had no effect on the physical structure of the property. Sellers are transmitted by not required to disclose if any occupant was HIV-positive, t required to disclose if any occupant was HIV-positive, or had any other disease not likely to be occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or
- 28 29 30 9 Sellers may provide an "as is", "no representations or warranties" disclaimer statement in lieu of the Disclosure form only if the buyer waives the right to the required disclosure, otherwise the sellers must provide the completed Disclosure form (See Tenn. Code Ann. § 66-5-202).
- 33 33 10. auctions, court orders, some foreclosures and bankruptcies, new construction with written w resided on the property at any time within the prior 3 years. See Tenn. Code Ann. § 66-5-209). Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public auctions, court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not
- 36 11. mold, and other appropriate inspection contingencies in the contract, as the Disclosure form is not a warranty of any kind by the seller, and is not a substitute for any warranties or inspections the buyer may desire to purchase. Buyers are advised to include home and wood infestation, well, water sources, septic system, lead-based paint, radon,
- 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, is not required to repair any such items.
- ij Buyers may, but do not have to, waive their right to receive the Disclosure form from the sellers if the sellers provide disclaimer statement with no representations or warranties (see Tenn. Code Ann. § 66-5-202).



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Modified on 1/01/2011

- 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to buyer and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such
- 44 15. Representations in the Disclosure form are Representations in the Disclosure form are those of the sellers only, and not of any real estate licensee, a licensees are required to disclose to all parties adverse facts of which the licensee has actual knowledge or notice. although
- 48 47 6. disposal system permit. Pursuant to Tenn. Code Ann. § 47-18-104(b), sellers of newly constructed residences on a septic system are prohibited from knowingly advertising or marketing a home as having more bedrooms than are permitted by the subsurface sewage
- 49 17. Sellers must disclose the presence of any known exterior injection well, the results of any known percolation test or soil absorption rate performed on the property that is determined or accepted by the Department of Environment and Conservation, and whether the property is located within a Planned Unit Development as defined by Tenn. Code Ann. § 66-5-213 and, if requested, provide buyers with a copy of the development's restrictive covenants, homeowner bylaws and master deed. Sellers must also disclose if they have knowledge that the residence has ever been moved from an existing foundation to another foundation.

55 56 57 58 59 60 The Buyers and Sellers involved in the current or prospective real estate transaction for the property listed above acknowledge that they were informed of their rights and obligations regarding Residential Property Disclosures, and that this information was provided by the real estate licensee(s) prior to the completion or reviewing of a Tennessee Residential Property Condition Disclosure, a Tennessee Residential Property Condition Disclosure, a Tennessee Residential Property Condition Exemption Notification. Buyers and Sellers also acknowledge that they were advised to seek the advice of an attorney on any legal questions they may have regarding this information or prior to taking any legal actions. Buyers and Sellers involved in the current

62 63 64 65 provide information about the condition of the property. This completed form constitutes that disclosure by the Seller. The information contained in the disclosure is the representation of the owner and not the representation of the real estate licensee or sales person, if any. This is not a warranty or a substitute for any professional inspections or warranties that the purchasers may wish to obtain. The Tennessee Residential Property Disclosure Act states that anyone transferring title to residential real property must

66 67 68 Buyers and Sellers should be aware that any sales agreement executed between the parties will supersede this form as to the terms of sale, property included in the sale and any obligations on the part of the seller to repair items identified below and/or the obligation of the buyer to accept such items "as is."

## INSTRUCTIONS TO THE SELLER

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

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## 80 78 79 76 74 73 Oven 220 Volt Wiring Water Softener Trash Compactor Garbage Disposal Microwave Îce Maker Hookup THE SUBJECT PROPERTY INCLUDES THE ITEMS CHECKED BELOW. Smoke Detector Fire Alarm Installed Outdoor Cooking Grill Patio/Decking/Gazebo Fireplace(s) (Number) Gas Fireplace Logs Gas Starter for Fireplace Wall/Window Air Conditioning Hot Tub Spa/Whirlpool Tub Central Vacuum System and attachments TV Antenna/Satellite Dish (excluding components) Intercom Garage Door Opener(s) (Number of openers Washer/Dryer Hookups Garage Door Remote(s)

Burglar Alarm/Security System Components and controls Current Termite contract with umber ANV

84 83 84

Sump Pump

Dishwasher

A key to all exterior doors

Rain Gutters

Sauna

**Irrigation System** 

Pool

In-ground

Above-ground

П

Access to Public Streets

All Landscaping and all outdoor lighting



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Copyright F16-Tenr	Plumbing System	Insulation	Doors	Windows	Floors	Ceilings	Interior Walls		B. ARE YOU (SI	If leases are not assumable, it will be Seller's responsibility to pay balance			Leased Items: Lea					If YES, then descri	To the best of your			Other Items:	Roof(s): Type	Waste Disposal	Gas Supply of	Water Supply d	Garage 4	o Other	П Water Heater #2	er Water Heater #1	Central Air Conditioning #3	-E-Central Air Conditioning #2	entral Air Conditioning #1	Central Heating Unit #3	e Central Heating Unit #2	Central Heating Unit #1	□ Heat Pump Unit #3	Heat Pump Unit #2	□ Heat Pump Unit #1
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Copyright 2011 ${\Bbb O}$ Tennessee Association of Realtors $^{\#}$ F16 – Tennessee Residential Property Condition Disclosure, Page 3 of 7	<u> </u>		П	\ 	\ 	ם		MONYNU	GOF ANY DEFEC	Seller's responsibil		in delicate the second	nain with the Proper					If YES, then describe (attach additional sheets if necessary):	y of the above NO					Septic Tank	Bottled	Well	Not Attached	A was about the same to the sa	Krun Age & Ele	Age e	Age	Can Kan Age	Type Age	Age	White you Age	74/SAge	Age (Approx)	Age (Approx)	Age (Approx)
sure, Page 3 of 7	Central Heating	Sidewalks	Driveway	Slab	Foundation	Basement	Roof Components		ARE YOU (SELLER) AWARE OF ANY DEFECTS/MALFUNCTIONS IN ANY OF THE FOI	ity to pay balance.			Leased items that remain with the Property are (e.g. security systems, water softener syste					ry):	To the best of your knowledge, are any of the above NOT in operating condition?				Age (approx):	Other	υ Other	u Private u U	п Carport		Electric o Gas	Electric u Gas	n Electric n	n Electric	D Electric o	п Electric п	n Electric n	п Electric "5	гох)	rox)	rox)
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approval for changes, use, or alterations to the property?  approval for changes, use, or alterations to the property?  Is this property in a historical district or has it been declared historical by any governmental authority such that permission must be obtained before certain types of improvements or aesthetic changes to the property are made?  Does this property have an exterior injection well located anywhere on it?  Is seller aware of any percolation tests or soil absorption rates being performed on the property that are determined or accepted by the Tennessee Department of Environment and Conservation?  If yes, results of test(s) and/or rate(s) are attached.		Any exterior wall covering of the structure(s) covered with exterior insulation and finish systems (EIFS), also known as "synthetic stucco"?  If yes, has there been a recent inspection to determine whether the structure has excessive moisture accumulation and/or moisture related damage?  (The Tennessee Real Estate Commission urges any buyer or seller who encounters this product to ha professional inspect the structure in question for the preceding concern and provide a written report professional's finding.)  If yes, please explain. If necessary, please attach an additional sheet.	or will affect the property?  Is any system, equipment or part of the property being leased?  If yes, please explain, and include a written statement regarding payment information.	Any "common area" (facilities such as, but not limited to, pools, tennis courts, walkways or other areas co-owned in undivided interest with others)?  Any notices of abatement or citations against the property?  Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects	A Condominium/Homeowners Association (HOA) which has any authority over the subject property?  Name of HOA: HOA Phone Number: HOA Phone Number: Special Assessments: Management Con Address: Management Con Address:  Management Con Address:	Neighborhood noise problems or other nuisances? Subdivision and/or deed restrictions or obligations?	Any zoning violations, nonconforming uses and/or violations of "setback" requirements?
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		to han written report	7				NO UNK
		of the					UNKNOWN



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If the property being purchased is a condominium, the transferee/buyer is hereby given notice that the transferee/buyer is entitled, upon request, to receive certain information regarding the administration of the condominium from the developer or the condominium association as applicable, pursuant to Tennessee Code Annotated §66-27-502.	254 255 256
Transferee (Buyer) Date Time	253
Transferee (Buyer) Date Time	252
Transferee/Buyer's Acknowledgment: I/We understand that this disclosure statement is not intended as a substitute for any inspection, and that I/we have a responsibility to pay diligent attention to and inquire about those material defects which are evident by careful observation. I/We acknowledge receipt of a copy of this disclosure.	249 250 251
Parties may wish to obtain professional advice and/or inspections of the property and to negotiate appropriate provisions in the purchase agreement regarding advice, inspections or defects.	245 246 247 248
	244
Transferor (Seller) Date Time	243
is true and correct to the best of my/our knowledge as of the date signed. Should any of these conditions change prior to conveyance of title to this property, these changes will be disclosed in an addendum to this document.  Transferor (Sellen X) Lland The Loop Date Date Date Date Date Date Date Date	240 241 242
D. CERTIFICATION. I/We certify that the information herein, concerning the real property located at	238 239
31. Is this property in a Planned Unit Development? Planned Unit Development is defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of land, controlled by one (1) or more landowners, to be developed under unified control or unified plan of development for a number of dwelling units, commercial, educational, recreational or industrial uses, or any combination of the foregoing, the plan for which does not correspond in lot size, bulk or type of use, density, lot coverage, open space, or other restrictions to the existing land use regulations." Unknown is not a permissible answer under the statute.	230 231 231 232 233 233 234 235 236 237
30. Has any residence on this property ever been moved from its original $\Box$ $\Box$ $\Box$ $\Box$ foundation to another foundation?	227 228
YES NO UNKNOWN	

## SELLERS FINAL PROPERTY DISCLOSURE

299	298	297	296	294 295	293	292	291	289 290	288	287	285 285	284	283	282	281	280	279	278	277	276	275	274	272	270 271	257 258 259 260 261 262 263 263 264 266 266 266 268	
ف	<b>.</b>	<b></b> 3	ر	IN W													Ì							CHA	D D PRO	
Transferee (Buyer)	Transferee (Buyer)	Transferor (Seller)	Transferor (Seller)	IN WITNESS WHEREOF, the information here dates indicated.									- And the state of		,									CHANGES REPORTED	PROPERTY ADDRESS  Pursuant to the disclosure requirement Annotated, § 66-5-201, et seq., the undersijinformation previously furnished by Seller the changes, if any are reported):  NO CHANGES  To the best of the knowledge, information same as it was when the Residential Propersobserved since the Residential Property Coin good faith to the best of Seller's knowledge which are not already made in the property Coin guarantees which are not already made	
Date	Date	Date	Date	IN WITNESS WHEREOF, the information hereon is certified by Seller and acknowledged as received by dates indicated.																					Pursuant to the disclosure requirements of the "Tennessee Residential Property Disclosure Act" Tennessee Code Annotated, § 66-5-201, et seq., the undersigned Seller hereby supplements the Residential Property Condition Disclosure information previously furnished by Seller to Buyer, as follows (Seller[s] initial and check appropriate line and write out the changes, if any are reported):  NO CHANGES  To the best of the knowledge, information and belief of the undersigned, the condition of the Property is substantially the same as it was when the Residential Property Condition Disclosure form was provided to the Buyer.  CHANGES TO REPORT  The changes shown below, which may be material to the physical condition of the Property, have occurred or been observed since the Residential Property Condition Disclosure form was provided to the Buyer. This statement is given in good faith to the best of Seller's knowledge, information and belief, and is not intended to create warranties or guarantees which are not already made in the specific provisions of the contract or imposed by applicable law.	
Time	Time	Time	Time	received by Buyer upon the																					CITY  isclosure Act" Tennessee Code al Property Condition Disclosure ck appropriate line and write out the Property is substantially the the Buyer.  The Buyer.  This statement is given nitended to create warranties or ed by applicable law.	

NOTE: This form is provided by TAR to its members for their use in real estate transactions and is to be used as is. This form contains language that is in addition to the language mandated by the state of Tennessee pursuant to the disclosure requirements of the Tennessee Residential Property Disclosure Act. Tennessee Code Annotated § 66-5-201, et seq. 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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Modified on 1/01/2011