

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: 12504 NS 3670 Road, Wewoka, OK 74884

SELLER IS ☒ **IS NOT** ☐ **OCCUPYING THE SUBJECT PROPERTY.**

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

	Circle below					Circle below			
	N/A	Yes	No	Unk		N/A	Yes	No	Unk
Sprinkler System	N/A				Humidifier	N/A			
Swimming Pool	N/A				Gas Supply	N/A			
Hot Tub/Spa	N/A				___ Public ___ Propane				
Water Heater <u>2</u>	N/A	Yes	No	Unk	___ Butane				
<input checked="" type="checkbox"/> Electric ___ Gas					Propane Tank	N/A	Yes	No	Unk
___ Solar					___ Leased ___ Owned				
Water Purifier	N/A	Yes	No	Unk	Ceiling Fans	N/A	Yes	No	Unk
Water Softener	N/A	Yes	No	Unk	Electric Air Purifier	N/A	Yes	No	Unk
___ Leased ___ Owned					Garage Door Opener/				
Sump Pump	N/A	Yes	No	Unk	Control	N/A	Yes	No	Unk
Plumbing	N/A	Yes	No	Unk	Intercom	N/A	Yes	No	Unk
Whirlpool Tub	N/A	Yes	No	Unk	Central Vacuum	N/A	Yes	No	Unk
Sewer System	N/A	Yes	No	Unk	Security System	N/A	Yes	No	Unk
___ Public <input checked="" type="checkbox"/> Septic					___ Rent ___ Own				
___ Lagoon					___ Monitored				
Air Conditioning					Smoke Detectors	N/A	Yes	No	Unk
System	N/A	Yes	No	Unk	Dishwasher	N/A	Yes	No	Unk
<input checked="" type="checkbox"/> Electric ___ Gas					Electrical Wiring	N/A	Yes	No	Unk
___ Heat Pump					Garbage Disposal	N/A	Yes	No	Unk
Window Air					Gas Grill	N/A	Yes	No	Unk
Conditioner(s)	N/A	Yes	No	Unk	Vent Hood	N/A	Yes	No	Unk
Attic Fan	N/A	Yes	No	Unk	Microwave Oven	N/A	Yes	No	Unk
Fireplaces	N/A	Yes	No	Unk	Built-in Oven/Range	N/A	Yes	No	Unk
Heating System	N/A	Yes	No	Unk	Kitchen Stove	N/A	Yes	No	Unk
<input checked="" type="checkbox"/> Electric ___ Gas					Trash Compactor	N/A	Yes	No	Unk
___ Heat Pump									

Seller's Initials SED
(OREC-7/12)

Seller's Initials BD

Buyer's Initials _____ Buyer's Initials _____

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Source of Household Water

Other Items _____	Yes	No	Unk
Other _____	Yes	No	Unk
Other _____	Yes	No	Unk

☒ Public ☐ Private ☐ Well 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 ☒ unknown *Rural No Zoning*
2. What is the flood zone status of the property? None
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? *Terminix*
- (**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 ☐ Unk ☐

 Seller's Initials SED Seller's Initials BD
 (OREC-7/12)

Buyer's Initials _____ Buyer's Initials _____

36. Are you aware of encroachments affecting the property? No 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? _____

Sharwon E. Davis
 Seller's Signature

12/18/12
 Date

Bronta Davis
 Seller's Signature

12-18-12
 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.

Disclosure of Information on Lead-Based Paint and/or Lead-Based Paint Hazards

Lead Warning Statement

Every purchaser of any interest in residential real property on which a residential dwelling was built prior to 1978 is notified that such property may present exposure to lead from lead-based paint that may place young children at risk of developing lead poisoning. Lead poisoning in young children may produce permanent neurological damage, including learning disabilities, reduced intelligence quotient, behavioral problems, and impaired memory. Lead poisoning also poses a particular risk to pregnant women. The seller of any interest in residential real property is required to provide the buyer with any information on lead-based paint hazards from risk assessments or inspections in the seller's possession and notify the buyer of any known lead-based paint hazards. A risk assessment or inspection for possible lead-based paint hazards is recommended prior to purchase.

Property 12504 NS 3670 Road
Address: Newoka, OK 74884

Seller's Disclosure (initial)

(a) BD Presence of lead-based paint and/or lead-based paint hazards (check (i) or (ii) below):

(i) SD Known lead-based paint and/or lead-based paint hazards are present in the housing (explain).

(ii) X Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.

(b) BD Records and reports available to the seller (check (i) or (ii) below):

(i) SD Seller has provided the purchaser with all available records and reports pertaining to lead-based paint and/or lead-based paint hazards in the housing (list documents below).

(ii) X Seller has no reports or records pertaining to lead-based paint and/or lead-based paint hazards in the housing.

Purchaser's Acknowledgment (initial)

(c) _____ Purchaser has received copies of all information listed above.

(d) _____ Purchaser has received the pamphlet *Protect Your Family from Lead in Your Home*.

(e) _____ Purchaser has (check (i) or (ii) below):

- (i) _____ received a 10-day opportunity (or mutually agreed upon period) to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards; or
- (ii) _____ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(f) BD Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852d and is aware of his/her responsibility to ensure compliance.

Certification of Accuracy

The following parties have reviewed the information above and certify, to the best of their knowledge, that the information they have provided is true and accurate.

Sharwin E. Davis 12-17-12
Seller Date
Bronta Davis

Purchaser Date

Bronta Davis 12-17-12
Seller Date
Sharwin Davis

Purchaser Date

Pam Robinson Real Estate, Inc.
Listing Broker

Selling Broker

By: [Signature] 12-18-12
Signature Date
Pam Robinson

By: _____
Signature Date