

## SELLER DISCLOSURE OF PROPERTY CONDITION

This information in this form is only for the time period the undersigned has owned the property, \_\_\_\_\_

8-30-10  
(Date of Purchase)

to

9-9-12  
(Date of this Form)

PROPERTY ADDRESS: HC 86 Box 43 Purgitsville, WV 26852

SELLER'S NAME: James S. Lancia

**PURPOSE OF STATEMENT:** Disclosure is based solely on the seller's observation and knowledge of the property's condition and the improvements thereon. This statement is not a warranty of any kind by the seller or seller's agent and shall not be intended as a substitute for any inspection or warranty the purchaser may wish to obtain.

**SELLER'S DISCLOSURE:** I/We disclose the following information regarding the property and this information is true and accurate to the best of my/our knowledge as of the date signed. Seller authorizes the agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property. The following are representations made by seller and are not the representation of the agent. The agent has no independent knowledge of the condition of the property except that which is set out on this form.

### PROPERTY INFORMATION, CONDITIONS AND IMPROVEMENTS

#### A. OWNERSHIP:

1. Do you currently live in subject property? yes  
If not have you ever lived in this property? \_\_\_\_\_
2. Is property vacant? NO If so, for how long? \_\_\_\_\_
3. Are you a builder or developer? NO
4. Are you a licensed real estate agent? NO

ADDITIONAL COMMENTS: This is my Primary Residence

#### B. ENVIRONMENTAL:

1. Is the lawn chemically treated? NO By whom? \_\_\_\_\_
2. Any excessive noises (airplanes, trains, trucks, etc.)? no What? \_\_\_\_\_
3. Any underground storage tanks? \_\_\_\_\_ Phase one studies completed? \_\_\_\_\_  
Is report available? \_\_\_\_\_

ADDITIONAL COMMENTS: Unknown

#### C. LAND:

1. Is the house built on landfill (compacted or otherwise)? unknown  
Is there landfill on any portion of the property? unknown
2. Any past or present flooding or drainage problems on the property? unknown
3. Any standing water after rain? Damp in cellar area, lasts short time  
Any sump pumps in basement or crawlspace? no Any active springs? no  
(Attach explanation) Is the property located wholly or partly in a Flood Plain Zone, as determined by the National Flood Insurance Maps? yes Current flood insurance premium \$ yes / Bldg in possible flood zone  
Any abandoned wells or septic tanks or cisterns? yes Where? across from house old well
4. Has land been mined? no Explain: \_\_\_\_\_

ADDITIONAL COMMENTS: The Bldg is covered by flood insurance, 100 year flood plain, never had any flooding as owner

#### D. STRUCTURAL:

1. Approximate age of the house: 200+ Name of Builder: unknown
2. Do you know of any condition of design or workmanship of the structures that would be considered substandard? no  
Is any portion of the dwelling of any type of construction other than on-site stick built? No \_\_\_\_\_ Yes ☒ Type of construction LOGS POST & BEAM Do you know of any structural additions or alterations, or the installation, alteration, repair, or replacement of significant components of the structure completed during the term of your ownership or that of a prior owner? yes Do you know of any violations of government regulations, ordinances, or zoning law regarding this property? no

Explain: Removal of old Porch, ~~and~~ NO  
additions to house

3. Do you know of any excessive settling, slippage, sliding or other soil problems, past or present? no  
If so, has any structural damage resulted? no If yes, attach explanation.
4. Exterior cover (check) Brick \_\_\_\_\_ Stone ☒ Aluminum \_\_\_\_\_ Vinyl \_\_\_\_\_ Cedar \_\_\_\_\_ Lap Siding ☒  
Redwood \_\_\_\_\_ Fir \_\_\_\_\_ Others Log  
Date of last maintenance (paint, etc) 2 years
5. Any problems with retaining walls cracking or bulging? no Repaired? Just pre existing  
When? \_\_\_\_\_
6. Do you know of any past or present problem with driveways, walkways, sidewalks, and patios such as large cracks, potholes, and raised sections? no If so, what was done and by whom? \_\_\_\_\_  
Explain: \_\_\_\_\_
7. Any significant cracks in foundations? \_\_\_\_\_ Exterior walls? \_\_\_\_\_ Slab floors? \_\_\_\_\_ Ceilings? \_\_\_\_\_  
Chimneys? \_\_\_\_\_ Fireplaces? \_\_\_\_\_ Decks? \_\_\_\_\_ Garage Floor? \_\_\_\_\_ Porch Floor? \_\_\_\_\_  
Other? \_\_\_\_\_
8. Any slanted or uneven floors? yes Distorted door frames (uneven spaces between doors and frames)? yes  
Any sticking windows? yes Any sagging ceiling beams or roof rafters? no
9. Is the crawl space damp? no Has a moisture barrier been installed? no  
Explain: Typical of 200+ year old house
10. Any moisture in basement? yes Corrected? no Attach explanation. wet during rain
11. Any windows or patio door glass broken? yes Seals broken in insulated panes? dries quickly  
Fogged? \_\_\_\_\_
12. Did you do any improvements yourself? yes What? Restored house to antiquity
13. Do you have hardwood floors under the floor coverings? yes
14. Is the laundry room in the basement? \_\_\_\_\_ First Floor? ☒ Second Floor? \_\_\_\_\_  
Other: \_\_\_\_\_

ADDITIONAL COMMENTS: Many of these are typical  
of old antique houses.

#### E. ELECTRICAL SYSTEM:

1. Electric service: 60 amp? \_\_\_\_\_ 100 amp? \_\_\_\_\_ 200 amp? ☒ Fuses? \_\_\_\_\_ Circuit Breaker? ☒  
Rewired? Some Date: 2011
2. Is the wiring copper? \_\_\_\_\_ or aluminum? \_\_\_\_\_
3. Any damage or malfunctioning receptacles? \_\_\_\_\_ Switches? 1 Fixtures? \_\_\_\_\_  
Attach explanation. Heat switch in Bedroom
4. Are any extension cords stapled to baseboards or underneath carpets or rugs? no
5. Is there GFCI wiring in Kitchen? \_\_\_\_\_ Bathroom? \_\_\_\_\_ Garage? \_\_\_\_\_ For outside TV and TV cable? yes
6. Are you aware of any defects, malfunctions, or illegal installations or electrical equipment in or outside of house? no  
unknown  
Explain: \_\_\_\_\_

ADDITIONAL COMMENTS: \_\_\_\_\_

#### F. INSULATION, HEATING, AIR CONDITIONING, VENTILATION, AND OTHER EQUIPMENT:

1. Type of heating system? Electric Age? unknown Supplemental heating? wood
2. Electronic air cleaner? no Operable? no Humidifier? no Operable? \_\_\_\_\_
3. Fireplace? 2 Masonry? Stone Insert? no Fireplace damper? no  
Last inspection and cleaning? unknown By whom? \_\_\_\_\_
4. Are fuel-consuming heating devices adequately vented to the outside? yes
5. Type of cooling system? 1 air conditioner Age? 2 months Number of ceiling fans? \_\_\_\_\_  
Attic Fan? no Bedroom
6. Is clothes dryer vented to outside? no Connection for Gas Dryer? \_\_\_\_\_  
Electric Dryer? yes
7. Foundation vents? no Roof Vents? \_\_\_\_\_ Attic Vents? yes Bath Vent fans? no  
Kitchen Vent fan? no Other? \_\_\_\_\_
8. Number of Electric garage door openers? 1 Operable? 1 Number of controls? \_\_\_\_\_  
Operable? \_\_\_\_\_ Age? \_\_\_\_\_

9. Smoke Detectors? no How many? \_\_\_\_\_ Wired to electric system? \_\_\_\_\_  
 Battery? \_\_\_\_\_ Operable? \_\_\_\_\_  
 10. Water softener? \_\_\_\_\_ Operable? \_\_\_\_\_  
 Burglar alarm? \_\_\_\_\_ Make? \_\_\_\_\_ Operable? \_\_\_\_\_ R-Rate? \_\_\_\_\_  
 Leased? \_\_\_\_\_  
 11. Is there insulation in: Ceiling? \_\_\_\_\_ R-Rate? \_\_\_\_\_ Walls? \_\_\_\_\_ R-Rate? \_\_\_\_\_ Floors? \_\_\_\_\_ R-Rate? \_\_\_\_\_  
 ADDITIONAL COMMENTS: Unknown

#### G. PLUMBING SYSTEM:

1. Source of water supply: Public? \_\_\_\_\_ Private Well? yes Cistern? \_\_\_\_\_  
 If private well, when was water sample last checked for safety? unknown Result of \_\_\_\_\_  
 test? \_\_\_\_\_ Depth? \_\_\_\_\_ ft.  
 2. Well water pump: yes Date installed 2011 Condition Good  
 Sufficient water during late Summer? yes  
 3. Type of water supply pipes? Copper? \_\_\_\_\_ Galvanized? \_\_\_\_\_ Plastic? ✓ Normal water  
 pressure? yes  
 4. Are you aware of excessive stains in tubs, lavatories, or sinks? unknown  
 5. Type sewer: City sewer? \_\_\_\_\_ PSD sewer? \_\_\_\_\_ Septic tank? yes  
 Installation date: unknown Type material: Fiberglass? \_\_\_\_\_ Concrete? \_\_\_\_\_ Steel? \_\_\_\_\_  
 Private treatment plant? \_\_\_\_\_ Aeration system? \_\_\_\_\_  
 Date of last cleaning? unknown By whom? \_\_\_\_\_  
 6. Type of water heater: Electric? ✓ Gas? \_\_\_\_\_ LP Gas? \_\_\_\_\_ Capacity? 60 (gals)  
 Age? \_\_\_\_\_  
 7. Are you aware of any slow drains? yes shower drain  
 8. Are there any plumbing leaks around or under: Sinks? no Toilets? no Showers? no  
 9. Pool Type: In ground? \_\_\_\_\_ Above ground? \_\_\_\_\_ Age? \_\_\_\_\_  
 Pool heater: Electric? \_\_\_\_\_ Gas? \_\_\_\_\_ Solar? \_\_\_\_\_  
 Date of last cleaning or inspections? \_\_\_\_\_  
 ADDITIONAL COMMENTS: Shower drain was temporary  
unable to compensate for floor slant, at  
the time.

#### H. APPLIANCES:

Check the following appliances that remain with the property:

1. Range? ✓ Operable? yes Age? 2 yrs.  
 2. Countertop range/wall oven? \_\_\_\_\_ Operable? \_\_\_\_\_ Age? \_\_\_\_\_  
 3. Hood? \_\_\_\_\_ Operable? \_\_\_\_\_ Age? \_\_\_\_\_  
 4. Dishwasher? ✓ Operable? yes Age? 2 yrs.  
 5. Disposal? \_\_\_\_\_ Operable? \_\_\_\_\_ Age? \_\_\_\_\_

ADDITIONAL COMMENTS:

2yr old Refrigerator also  
conveys.

#### I. TITLE AND ACCESS:

1. Does anyone have the right to refusal to buy, option, or lease the property? no Copy of lease provided to listing  
 agent? \_\_\_\_\_  
 2. Is the property currently leased? NO Expiration date? \_\_\_\_\_ Does the lease have option to renew? \_\_\_\_\_  
 3. Do you know of any existing, pending, or potential legal actions concerning the property or the Property Owners  
 Association? NO Explain: \_\_\_\_\_  
 4. Has a lien been recorded against the property? NO Explain: \_\_\_\_\_  
 5. Do you own the mineral rights? yes Leased to \_\_\_\_\_ For how long? \_\_\_\_\_  
 6. Any bonds, assessments, or judgments which are liens upon the property or which limits its use? \_\_\_\_\_  
 7. Any boundary disputes, or third party claims affecting the property rights of the other people to interfere with the use of  
 the property in any way? NO Attach explanation.  
 8. Any deed restrictions? no Any right-of-way or easements? NO Protective covenants? no  
 9. Copy of deed has been provided to listing agent? yes

ADDITIONAL COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**J. ROOF, GUTTER, DOWNSPOUTS:**

1. Type of Roof: Shingle? \_\_\_\_\_ Wood Shingle? ☒ Slate? \_\_\_\_\_ Rolled rubber? \_\_\_\_\_ Other? \_\_\_\_\_  
Age of Roof? 1 yr
2. Has the roof been resurfaced? \_\_\_\_\_ Replaced? yes If so, what year? 2011  
Installed by whom? Robert Samuels
3. Has the roof ever leaked during your ownership? no  
If so, how was it corrected? \_\_\_\_\_
4. Are gutters and downspouts in good condition and free of holes and excessive rust? No gutters
5. Do downspouts lead from structure? no Into storm drain? \_\_\_\_\_ Splash blocks? \_\_\_\_\_  
Sewer? \_\_\_\_\_

ADDITIONAL COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**K. REPORTS:**

Have you received or do you have knowledge of any of the following inspection reports or repair estimates (written or otherwise) made during or prior to your ownership: Roof? no Air conditioning? no Furnace? no  
Soils/Drainage? no Structural? no Well? no Radon? no Pest Control? no  
Geological/Core Drilling? no Lead based paint? no Asbestos? no Septic Tank/Sewer  
System? no Formaldehyde? no Pool/Spa? no Home Inspection? no Energy Audit? no  
no City/County Inspection? no Notice of Violation? no Other? no Attach explanation and  
copies of reports. \_\_\_\_\_

**L. UTILITIES:**

Gas Company \_\_\_\_\_ Gas Budget \_\_\_\_\_

Electric Company Potomac Edison Elec. Budget approx 50.00  
month

Water Company \_\_\_\_\_ Average Water Bill \_\_\_\_\_

Sewage Company no

Trash Company United Disposal Service Trash Cost 60.00 Every  
3 months

TV Cable Company Direct TV

Satellite Company Frontier Communications / Phone internet.  
approx 80.00

**M. OTHER DISCLOSURES**

In addition to the disclosure statements made herein, the following facts are known or suspected by me (us) which may materially affect the values or desirability of the subject property, now or in the future (burial sites, murder, suicide, sex offender, etc.): no

The foregoing answer and explanations are true and complete to the best of my/our knowledge, I/We have authorized \_\_\_\_\_, the broker in this transaction to disclose the information set forth above to other real estate brokers, real estate agents, and prospective buyers of the property. **SELLER AGREES** to hold harmless all brokers and agents in the transaction and to defend and indemnify them from any claim, demand, action or proceedings resulting from any omission or alleged omission by Seller in this Disclosure Statement.

This PROPERTY CONDITION DISCLOSURE STATEMENT consists of \_\_\_\_\_ pages, with attachments.

SELLER: James Landa SELLER: \_\_\_\_\_ DATE: 9/1/02

I have received a copy of the PROPERTY CONDITION DISCLOSURE STATEMENT:

BUYER: \_\_\_\_\_ BUYER: \_\_\_\_\_ DATE: \_\_\_\_\_



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

### 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.

### Seller's Disclosure

- (a) Presence of lead-based paint and/or lead-based paint hazards (*Check (i) or (ii) below*):
- (i) ☐ Known lead-based paint and/or lead-based paint hazards are present in the housing (*explain*).  
.....  
.....  
.....
- (ii) ☒ Seller has no knowledge of lead-based paint and/or lead-based paint hazards in the housing.
- (b) Records and reports available to the seller (*Check (i) or (ii) below*):
- (i) ☐ 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) ☐ 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) JS 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.

<u>Sam S. Lerner</u> SELLER	<u>8/30/12</u> DATE	_____ SELLER	_____ DATE
_____ PURCHASER	_____ DATE	_____ PURCHASER	_____ DATE
<u>JS</u> AGENT	<u>8-30-12</u> DATE	_____ AGENT	_____ DATE