## Quality Realty

## TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

1	PROPERTY ADDRESS 3151 Gainesboro Highway	CITY	Celina
2	SELLER'S NAME(S) Janet Yates (Shipley) & & Bonnie Shipley	_PROPERTY	AGE <b>1971</b>
3	DATE SELLER ACQUIRED THE PROPERTY 1961 / 2001 DO YOU OCCUPY T	THE PROPERT	ГҮ?
4	IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPI	ED THE PROI	PERTY?
5	(Check the one that applies) The property is a site-built home a non-site-	built home	
6 7 8 9	The Tennessee Residential Property Disclosure Act requires sellers of residential real propunits to furnish to a buyer one of the following: (1) a residential property disclosure statement residential property disclaimer statement (permitted only where the buyer waives the require transfers may be exempt from this requirement (See Tenn. Code Ann. § 66-5-209). The first transfers may be exempt from the requirement (See Tenn. Code Ann. § 66-5-209).	ent (the "Discled Disclosure).	osure"), or (2) a Some property

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. 13

buyers' and sellers' rights and obligations under the Act. A complete copy of the Act may be found at

14 Sellers must give the buyers the Disclosure form before the acceptance of a purchase contract.

http://www.lexisnexis.com/hottopics/tncode/ (See Tenn. Code Ann. § 66-5-201, et seq.)

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- 15 Sellers must inform the buyers, at or before closing, of any inaccuracies or material changes in the condition that have 16 occurred since the time of the initial Disclosure, or certify that there are no changes.
- Sellers may give the buyers a report or opinion prepared by a professional inspector or other expert(s) or certain 17 18 information provided by a public agency, in lieu of responding to some or all of the questions on the form (See Tenn. 19 Code Ann. § 66-5-204).
- 20 Sellers are not required to have a home inspection or other investigation in order to complete the Disclosure form.
- Sellers are not required to repair any items listed on the Disclosure form or on any past or future inspection report unless 21 22 agreed to in the purchase contract.
- 23 Sellers involved in the first sale of a dwelling must disclose the amount of any impact fees or adequate facility taxes 7. 24
- 25 Sellers are not required to disclose if any occupant was HIV-positive, or had any other disease not likely to be transmitted by occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or 26 27 occurrence which had no effect on the physical structure of the property.
- 28 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 29 30 form (See Tenn. Code Ann. § 66-5-202).
- 10. Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public 31 auctions, court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not 32 33 resided on the property at any time within the prior 3 years). (See Tenn. Code Ann. § 66-5-209).
- 11. Buyers are advised to include home, wood infestation, well, water sources, septic system, lead-based paint, radon, mold, 34 35 and other appropriate inspection contingencies in the contract, as the Disclosure form is not a warranty of any kind by 36 the seller, and is not a substitute for any warranties or inspections the buyer may desire to purchase.
- 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, seller 37 38 is not required to repair any such items.
- 13. Buyers may, but do not have to, waive their right to receive the Disclosure form from the sellers if the sellers provide a 39 disclaimer statement with no representations or warranties (See Tenn. Code Ann. § 66-5-202). 40

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- 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to 41 buyer and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such 42 43 matters.
- 15. Representations in the Disclosure form are those of the sellers only, and not of any real estate licensee, although 44 45 licensees are required to disclose to all parties adverse facts of which the licensee has actual knowledge or notice.
- 16. Pursuant to Tenn. Code Ann. § 47-18-104(b), sellers of newly constructed residences on a septic system are prohibited 46 47 from knowingly advertising or marketing a home as having more bedrooms than are permitted by the subsurface sewage 48 disposal system permit.
  - 17. Sellers must disclose the presence of any known exterior injection well, the presence of any known sinkhole(s), 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.

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 Disclaimer Statement, or 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.

The Tennessee Residential Property Disclosure Act states that anyone transferring title to residential real property must 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.

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.

## A. THE SUBJECT PROPERTY INCLUDES THE ITEMS CHECKED BELOW:

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74	Range	□ Wall/Window Air Conditioning	☐ Garage Door Opener(s) (Number of openers)
75	□ Ice Maker Hookup	Window Screens	□ Garage Door Remote(s)
76	d Oven	Fireplace(s) (Number)	□ Intercom
77	□ Microwave	□ Gas Starter for Fireplace	□ TV Antenna/Satellite Dish (excluding components)
78	<ul> <li>Garbage Disposal</li> </ul>	□ Gas Fireplace Logs	□ Central Vacuum System and attachments
79	□ Trash Compactor	Smoke Detector/Fire Alarm	□ Spa/Whirlpool Tub
80	□ Water Softener	Patio/Decking/Gazebo	□ Hot Tub
81	220 Volt Wiring	□ Installed Outdoor Cooking Grill	Washer/Dryer Hookups
82	□ Sauna	□ Irrigation System	□ Pool □ In-ground □ Above-ground
83	□ Dishwasher	□ A key to all exterior doors	Access to Public Streets
84	□ Sump Pump	Rain Gutters	All Landscaping and all outdoor lighting
85	□ Burglar Alarm/Sec	urity System Components and controls	
86	☐ Current Termite co	ntract with	
87	Heat Pump Unit #1	2+ Age (Approx)	

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88	<ul> <li>Heat Pump U</li> </ul>	nit #2			Age (App	orox)									
89	□ Heat Pump U	nit #3	7-12	1	Age (App	orox)									
90	Central Heati	ng Unit #1		2+	Age		Electric			Gas		Ot	her		
91	□ Central Heati	ng Unit #2			Age		Electric			Gas		Ot	her		
92	□ Central Heati	ng Unit #3			Age		Electric			Gas		Ot	her		
93	Central Air C	onditioning	#1	2	⊢ Age	12	Electric			Gas		Ot	her		
94	□ Central Air C	onditioning	#2		Age		Electric			Gas		Ot	her		
95	□ Central Air C	onditioning	#3		Age		Electric			Gas		Ot	her		
96	Water Heater	#1	5 V	<b>∑</b> Age	t El	ectric		Gas			Solar		Other		
97	□ Water Heater	#2		Age				Gas			Solar			( P)	
98	□ Other								Oth	ier					
99		□ Attache			tached		Carport								
100	Water Supply	City		Well			Private		Uti	lity	□ Ot	her			
101	Gas Supply	□ Utility		Bottled	l		Other								
102	Waste Disposal	□ City Se	wer 🗹	Septic	Tank		Other _								
103	Roof(s): Type	ASPA	LT.	51-111	GLE	3	Age	e (app	prox	:):	5	+			
104 105 106 107	Other Items:														
108	To the best of your						perating	cond	itior	1?		YE	ES	NO NO	
109 110 111 112 113 114 115	If YES, then descr	ibe (attach a	additiona	l sheets i	f necessa	ry):									
116 117 118 119	Leased Items: Le	eased items	that rema	in with t	he Prope	rty are	e (e.g. sec	curity	' sys	tems	, water	softe	ner syste	ms, etc.):	
120	If leases are not as	sumable, it	will be S	eller's re	sponsibil	ity to	pay balaı	nce.							
121	B. ARE YOU (S	ELLER) A	WARE	OF ANY	DEFEC	CTS/N	1ALFUN	NCTI	ION	S IN	ANY (	OF T	HE FOI	LOWING?	
	1 ma 12d	YES	NO	UNKN	OWN						YI	ES	NO	UNKNOW	N
122	Line 134 Interior Walls	ba	90				Roof Co	mpoi	nent	S		)			
123	Ceilings						Basemer	nt				]	to/		
124	Floors						Foundati	ion				]			
125	Windows						Slab					3	- ,		
126	Doors						Drivewa	у			_	]			
127	Insulation		4				Sidewalk	ζS.				]	ئ		
128	Plumbing System						Central I	Heati	ng			]		_	

			YES	NO_	UNKNOWN			YES	NO	UNKNOWN
129	Se	ewer/Septic   Heat Pump								
130	Ele	ectrical System				Central Air	Conditioning			D
131 132	Exterior Walls   Double Paned or Insulated Window and/or Doors									
133 134	If a 	any of the above is a solution of the above is a	are marl	ced YES,	please explain:	FORF K	10°C) /	ouf	(e)a	s installad
135 136	Ple	ase describe and re	pairs ma	ade by yo	u or any previous	owners of which	you are aware (	(use sepa	arate she	et if necessary).
137	C.	ARE YOU (SEL	LER) A	WARE	OF ANY OF TH	E FOLLOWING	: YES	NO	UNK	NOWN
138 139 140 141 142	1.	such as, but not lead or chemical stora	imited to ge tanks	: asbesto , metham	which may be envos, radon gas, lead phetamine, contar st mold presence of	-based paint, fuel minated soil or	s $\square$			
143 144 145	2.	Features shared in not limited to, fer for use and maint	ices, and	or drive	djoining land own ways, with joint ri	ers, such as walls, ghts and obligatio	but 🚽		,	
146 147	3.	Any authorized c property, or conti				s affecting the		-		
148 149 150	4.	Any changes since Most recent surve	e the mo	ost recent property	survey of the prop	perty was done? f unknown)				
151 152	5.		t in the p	property?	The home	\$ 5°/076	System	1 69	159,	n egsement
153 154	6.	Room additions, repairs made with	structura	l modific essary per	ations or other altermits?	erations of	adjoin	1105/	i Dirop	erz
155 156	7.	Room additions, s repairs not in com	structura ipliance	l modific with buil	ations or other alte	erations or			,	
157 158	8.	Landfill (compact thereof?	ted or otl	herwise)	on the property or	any portion			,	
159	9.	Any settling from	any cau	se, or slip	ppage, sliding or o	ther soil problems	?? □			
160		Flooding, drainag	_						,	
161	11.	Any requirement	that floo	d insuran	ce be maintained	on the property?		1	,	
162		Is any of the prop	•	1				. 🚽		
163 164 165 166 167 168 169	13.	Any past or presestanding water will fyes, please expland any available	thin four ain. If n	ndation an ecessary,	nd/or basement? please attach an a	additional sheet	-Not	al	ot	
170 171 172 173 174	14.	Property or structu tremors, wind, sto If yes, please expl	rm or wo	ood destro	oying organisms?					
175		If yes, has said dan	mage be	en repaire	ed?					
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REALIOR	ASS	CCIATION Copyrigi	nt 2011 ©	Tenness	e being brought against see Association of Rential Property Con	ealtors <sup>®</sup>		nnessee Ā	ssociation of	red as a TAR authorized user, of Realtors <sup>®</sup> at (615) 321-1477. rsion <b>01/01/2016</b>

Instanet FORMS

				YES	NO	UNKNOWN	
176 177	15	. Any zoning violations, nonconforming uses and/or violation "setback" requirements?	s of				
178	16.	Neighborhood noise problems or other nuisances?					
179	17.	Subdivision and/or deed restrictions or obligations?					
180 181	18.	A Condominium/Homeowners Association (HOA) which has over the subject property?					
182 183		Name of HOA: HOA Phone Number:	HOA Address:				-
184		Special Assessificitis.	Transfer Fees:	-			-
185		Management Company;	Phone:				_
186		Management Co. Address:					
187 188		Any "common area" (facilities such as, but not limited to, pocourts, walkways or other areas co-owned in undivided inter-	ools, tennis est with others)?				
189	20.	Any notices of abatement or citations against the property?			8		
190 191	21.	Any lawsuit(s) or proposed lawsuit(s) by or against the seller or will affect the property?	which affects				
192 193 194 195 196	22.	Is any system, equipment or part of the property being leased. If yes, please explain, and include a written statement regard information.	l? ing payment				
197	23.	Any exterior wall covering of the structure(s) covered with e.	xterior				
198		insulation and finish systems (EIFS), also known as "synthet	ic stucco"?		L		
199 200 201		If yes, has there been a recent inspection to determine whether has excessive moisture accumulation and/or moisture related	damage?				
202 203 204 205 206		(The Tennessee Real Estate Commission urges any buyer professional inspect the structure in question for the professional's finding.)  If yes, please explain. If necessary, please attach an additional professional is a structure in question for the professional is finding.)	receding concer	counters n and j	this pro	oduct to have a qualifie a written report of th	d e
207 208 209 210 211	24.	Is heating and air conditioning supplied to all finished rooms' If the same type of system is not used for all finished rooms,	? please explain.		X		
212 213 214 215	25.	If septic tank or other private disposal system is marked unde it have adequate capacity and approved design to comply with and local requirements for the actual land area and number of facilities existing at the residence?	h present state				
216 217	26.	Is the property affected by governmental regulations or restrict approval for changes, use, or alterations to the property?	ctions requiring				
218 219 220		Is this property in a historical district or has it been declared hany governmental authority such that permission must be obtacertain types of improvements or aesthetic changes to the project.	ained before		,		
221	28.	Does this property have an exterior injection well located any	where on it?				
222 223 224 225		Is seller aware of any percolation tests or soil absorption rates 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.					

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			YES	NO	UNKNOWN					
226 227	30. H fo	as any residence on this property ever been moved from its original bundation to another foundation?								
228 229 230 231 232 233 234 235	is co co th of	this property in a Planned Unit Development? Planned Unit Development defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of land, ontrolled by one (1) or more landowners, to be developed under unified ontrol or unified plan of development for a number of dwelling units, ommercial, educational, recreational or industrial uses, or any combination of the foregoing, the plan for which does not correspond in lot size, bulk or type is use, density, lot coverage, open space, or other restrictions to the existing and use regulations." Unknown is not a permissible answer under the statute.								
236 237 238 239 240	Ce lir su	a sinkhole present on the property? A sinkhole is defined pursuant to Tenn. ode Ann. § 66-5-212(c) as "a subterranean void created by the dissolution of mestone or dolostone strata resulting from groundwater erosion, causing a rface subsidence of soil, sediment, or rock and is indicated through the intour lines on the property's recorded plat map."								
241 242 243 244 245	2 3151 Gainesboro Highway  is true and correct to the best of my/our knowledge as of the date signed. Should any of these conditions change p conveyance of title to this property, these changes will be disclosed in an addendum to this document.									
246 247	Tr	ransferor (Seller)  Janet Yates (Shipley)  ransferor (Seller)  Bonnie Shipley  Date  Date	e <u>7.3</u>	39	$Time = \frac{1}{2}$ $Time = \frac{2}{2}$					
248 249 250 251		Parties may wish to obtain professional advice and/or inspections of th appropriate provisions in the purchase agreement regarding advice,	e proper	rty and to ions or de	negotiate efects.					
252 253 254	inspect	feree/Buyer's Acknowledgment: I/We understand that this disclosure statem ion, and that I/we have a responsibility to pay diligent attention to and inquire t by careful observation. I/We acknowledge receipt of a copy of this disclosure.	about tl	ot intende	ed as a substitute for any					
255	Tr	ansferee (Buyer) Date	e		Time					
256	Tr	ansferee (Buyer) Date	e		Time					
257 258 259	entitied	property being purchased is a condominium, the transferee/buyer is hereby in the property being purchased is a condominium, the transferee/buyer is hereby in the property is hereby in the property being purchased is a condominium association as applicable, pursuant to Tennessee Code Annotated §	the con	dominiun	the transferee/buyer is n from the developer or					

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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