



TENNESSEE RESIDENTIAL PROPERTY CONDITION DISCLOSURE

1 PROPERTY ADDRESS 234 Cothran Rd CITY Hohenwald
 2 SELLER'S NAME(S) Tim Schoettle PROPERTY AGE 34
 3 DATE SELLER ACQUIRED THE PROPERTY 02/02 DO YOU OCCUPY THE PROPERTY? No
 4 IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPIED THE PROPERTY? _____
 5 (Check the one that applies) The property is a ☒ site-built home ☐ non-site-built home
 6 The Tennessee Residential Property Disclosure Act requires sellers of residential real property with one to four dwelling
 7 units to furnish to a buyer one of the following: (1) a residential property disclosure statement (the "Disclosure"), or (2) a
 8 residential property disclaimer statement (permitted only where the buyer waives the required Disclosure). Some property
 9 transfers may be exempt from this requirement (See Tenn. Code Ann. § 66-5-209). The following is a summary of the
 10 buyers' and sellers' rights and obligations under the Act. A complete copy of the Act may be found at
 11 <http://www.lexisnexis.com/hototopics/tncode/> (See Tenn. Code Ann. § 66-5-201, et seq.)
 12 1. Sellers must disclose all known material defects and must answer the questions on the Disclosure form in good faith to
 13 the best of the seller's knowledge as of the Disclosure date.
 14 2. Sellers must give the buyers the Disclosure form before the acceptance of a purchase contract.
 15 3. 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.
 17 4. Sellers may give the buyers a report or opinion prepared by a professional inspector or other expert(s) or certain
 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 5. Sellers are not required to have a home inspection or other investigation in order to complete the Disclosure form.
 21 6. Sellers are not required to repair any items listed on the Disclosure form or on any past or future inspection report unless
 22 agreed to in the purchase contract.
 23 7. Sellers involved in the first sale of a dwelling must disclose the amount of any impact fees or adequate facility taxes
 24 paid.
 25 8. Sellers are not required to disclose if any occupant was HIV-positive, or had any other disease not likely to be
 26 transmitted by occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or
 27 occurrence which had no effect on the physical structure of the property.
 28 9. Sellers may provide an "as is", "no representations or warranties" disclaimer statement in lieu of the Disclosure form
 29 only if the buyer waives the right to the required disclosure. otherwise the sellers must provide the completed Disclosure
 30 form (See Tenn. Code Ann. § 66-5-202).
 31 10. Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public
 32 auctions, court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not
 33 resided on the property at any time within the prior 3 years). (See Tenn. Code Ann. § 66-5-209).
 34 11. Buyers are advised to include home, wood infestation, well, water sources, septic system, lead-based paint, radon, mold,
 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.
 37 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, seller
 38 is not required to repair any such items.
 39 13. Buyers may, but do not have to, waive their right to receive the Disclosure form from the sellers if the sellers provide a
 40 disclaimer statement with no representations or warranties (See Tenn. Code Ann. § 66-5-202).
 41 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to
 42 buyer and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such
 43 matters.

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15. Representations in the Disclosure form are those of the sellers only, and not of any real estate licensee, although 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 from knowingly advertising or marketing a home as having more bedrooms than are permitted by the subsurface sewage 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."

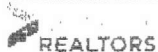
INSTRUCTIONS TO THE SELLER

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:

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Range | <input checked="" type="checkbox"/> Wall/Window Air Conditioning | <input type="checkbox"/> Garage Door Opener(s) (Number of openers _____) |
| <input checked="" type="checkbox"/> Window Screens | <input checked="" type="checkbox"/> Oven | <input checked="" type="checkbox"/> Fireplace(s) (Number) <u>1</u> |
| <input type="checkbox"/> Intercom | <input checked="" type="checkbox"/> Microwave | <input type="checkbox"/> Gas Starter for Fireplace |
| <input type="checkbox"/> Garbage Disposal | <input type="checkbox"/> Gas Fireplace Logs | <input checked="" type="checkbox"/> TV Antenna <u>Satellite Dish</u> |
| <input type="checkbox"/> Trash Compactor | <input checked="" type="checkbox"/> Smoke Detector/Fire Alarm | <input type="checkbox"/> Central Vacuum System and attachments |
| <input type="checkbox"/> Spa/Whirlpool Tub | <input type="checkbox"/> Burglar Alarm | <input type="checkbox"/> Current Termite contract |
| <input type="checkbox"/> Water Softener | <input checked="" type="checkbox"/> Patio/Decking/Gazebo | <input type="checkbox"/> Hot Tub |
| <input checked="" type="checkbox"/> 220 Volt Wiring | <input type="checkbox"/> Installed Outdoor Cooking Grill | <input checked="" type="checkbox"/> Washer/Dryer Hookups |
| <input type="checkbox"/> Sauna | <input type="checkbox"/> Irrigation System | <input type="checkbox"/> Pool |
| <input type="checkbox"/> Dishwasher | <input checked="" type="checkbox"/> A key to all exterior doors | <input checked="" type="checkbox"/> Access to Public Streets |
| <input type="checkbox"/> Sump Pump | <input checked="" type="checkbox"/> Rain Gutters | <input type="checkbox"/> Heat Pump |
| <input type="checkbox"/> Central Heating | <input type="checkbox"/> Central Air | |
| <input checked="" type="checkbox"/> Water Heater | <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Solar | |
| <input type="checkbox"/> Other _____ | <input type="checkbox"/> Other _____ | |
| Garage <input type="checkbox"/> Attached <input checked="" type="checkbox"/> Not Attached <input type="checkbox"/> Carport | | |
| Water Supply <input type="checkbox"/> City <input checked="" type="checkbox"/> Well <input checked="" type="checkbox"/> Private <input type="checkbox"/> Utility <input type="checkbox"/> Other _____ | | |
| Gas Supply <input type="checkbox"/> Utility <input checked="" type="checkbox"/> Bottled <u>Propane</u> <input type="checkbox"/> Other _____ | | |

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91 Waste Disposal ☐ City Sewer ☒ Septic Tank ☐ Other _____
 92 Roof(s): Type tin Age (approx): 34

93 Other Items:
 94 **Cabin & River Camp**
 95

96 To the best of your knowledge, are any of the above NOT in operating condition? ☐ YES ☒ NO
 97 If YES, then describe (attach additional sheets if necessary):
 98
 99
 100

101 If leases are not assumable, it will be Seller's responsibility to pay balance.

102 **B. ARE YOU (SELLER) AWARE OF ANY DEFECTS/MALFUNCTIONS IN ANY OF THE FOLLOWING?**

	YES	NO	UNKNOWN		YES	NO	UNKNOWN
103 Interior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Roof	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
104 Ceilings	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Basement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
105 Floors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Foundation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
106 Windows	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Slab	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
107 Doors	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Driveway	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
108 Insulation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Sidewalks (N/A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
109 Plumbing System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Heating (N/A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
110 Sewer/Septic	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Heat Pump (N/A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
111 Electrical System	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Central Air Conditioning (N/A)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
112 Exterior Walls	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>				

113 If any of the above is/are marked YES, please explain:
 114

115 **C. ARE YOU (SELLER) AWARE OF ANY OF THE FOLLOWING:**

	YES	NO	UNKNOWN
116 1. Substances, materials or products which may be environmental hazards such as, but not limited to: asbestos, radon gas, lead-based paint, fuel or chemical storage tanks, methamphetamine, contaminated soil or water, and/or known existing or past mold presence on the subject property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
117			
118			
119			
120			
121 2. Features shared in common with adjoining land owners, such as walls, but not limited to, fences, and/or driveways, with joint rights and obligations for use and maintenance?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
122			
123			
124 3. Any authorized changes in roads, drainage or utilities affecting the property, or contiguous to the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
125			
126 4. Any changes since the most recent survey of the property was done?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
127 Most recent survey of the property: <input checked="" type="checkbox"/> (check here if unknown)			
128			
129 5. Any encroachments, easements, or similar items that may affect your ownership interest in the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
130			
131 6. Room additions, structural modifications or other alterations or repairs made without necessary permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
132			
133 7. Room additions, structural modifications or other alterations or repairs not in compliance with building codes?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
134			
135 8. Landfill (compacted or otherwise) on the property or any portion thereof?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
136			

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YES NO UNKNOWN

- 137 9. Any settling from any cause, or slippage, sliding or other soil problems? ☐ ☐ ☒
- 138 10. Flooding, drainage or grading problems? ☒ ☐ ☐ *ROAD graded 2-3rd year*
- 139 11. Any requirement that flood insurance be maintained on the property? ☐ ☒ ☐
- 140 12. Any past or present interior water intrusions(s) from outside home,
141 standing water within foundation and/or basement?
142 If yes, please explain. If necessary, please attach an additional sheet
143 and any available documents pertaining to these repairs/corrections.
144
145
146
- 147 13. Property or structural damage from fire, earthquake, floods, landslides,
148 tremors, wind, storm or wood destroying organisms?
149 If yes, please explain (use separate sheet if necessary). ☐ ☒ ☐
- 150
151
152 If yes, has said damage been repaired? _____
- 153 14. Any zoning violations, nonconforming uses and/or violations of
154 "setback" requirements? ☐ ☒ ☐
- 155 15. Neighborhood noise problems or other nuisances? ☐ ☒ ☐
- 156 16. Subdivision and/or deed restrictions or obligations? ☐ ☒ ☐
- 157 17. A Condominium/Homeowners Association (HOA) which has any authority
158 over the subject property?
159 Name of HOA: _____ HOA Address: _____
160 HOA Phone Number: _____ Monthly Dues: _____
161 Special Assessments: _____ Transfer Fees: _____
162 Management Company: _____ Phone: _____
163 Management Co. Address: _____
- 164 18. Any "common area" (facilities such as, but not limited to, pools, tennis
165 courts, walkways or other areas co-owned in undivided interest with others)? ☐ ☒ ☐
- 166 19. Any notices of abatement or citations against the property? ☐ ☒ ☐
- 167 20. Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects
168 or will affect the property? ☐ ☒ ☐
- 169 21. Is any system, equipment or part of the property being leased?
170 If yes, please explain, and include a written statement regarding payment
171 information. ☐ ☒ ☐
- 172
173
- 174 22. Any exterior wall covering of the structure(s) covered with exterior
175 insulation and finish systems (EIFS), also known as "synthetic stucco"? ☐ ☒ ☐
- 176 If yes, has there been a recent inspection to determine whether the structure
177 has excessive moisture accumulation and/or moisture related damage? ☐ ☐ ☐
- 178 *N/A*
179 *(The Tennessee Real Estate Commission urges any buyer or seller who encounters this product to have a qualified*
180 *professional inspect the structure in question for the preceding concern and provide a written report of the*
181 *professional's finding.)*
182 If yes, please explain. If necessary, please attach an additional sheet.
183
- 184 23. Is heating and air conditioning supplied to all finished rooms? ☒ ☐ ☐
- 185 If the same type of system is not used for all finished rooms, please explain.
186
187
188

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- | | | YES | NO | UNKNOWN |
|-----|---|--------------------------|-------------------------------------|-------------------------------------|
| 189 | 24. If septic tank or other private disposal system is marked under item (A), does | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 190 | it have adequate capacity and approved design to comply with present state | | | |
| 191 | and local requirements for the actual land area and number of bedrooms and | | | |
| 192 | facilities existing at the residence? | | | |
| 193 | 25. Is this property in a historical district or has it been declared historical by | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 194 | any governmental authority such that permission must be obtained before | | | |
| 195 | certain types of improvements or aesthetic changes to the property are made? | | | |
| 196 | 26. Is there an exterior injection well anywhere on the property? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 197 | 27. Is seller aware of any percolation tests or soil absorption rates being | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 198 | performed on the property that are determined or accepted by | | | |
| 199 | the Tennessee Department of Environment and Conservation? | | | |
| 200 | If yes, results of test(s) and/or rate(s) are attached. | | | |
| 201 | 28. Has any residence on this property ever been moved from its original | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 202 | foundation to another foundation? | | | |
| 203 | 29. Is this property in a Planned Unit Development? Planned Unit Development | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 204 | is defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of land, | | | |
| 205 | controlled by one (1) or more landowners, to be developed under unified | | | |
| 206 | control or unified plan of development for a number of dwelling units, | | | |
| 207 | commercial, educational, recreational or industrial uses, or any combination of | | | |
| 208 | the foregoing, the plan for which does not correspond in lot size, bulk or type | | | |
| 209 | of use, density, lot coverage, open space, or other restrictions to the existing | | | |
| 210 | land use regulations." Unknown is not a permissible answer under the statute. | | | |
| 211 | 30. Is a sinkhole present on the property? A sinkhole is defined pursuant to Tenn. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 212 | Code Ann. § 66-5-212(c) as "a subterranean void created by the dissolution of | | | |
| 213 | limestone or dolostone strata resulting from groundwater erosion, causing a | | | |
| 214 | surface subsidence of soil, sediment, or rock and is indicated through the | | | |
| 215 | contour lines on the property's recorded plat map." | | | |

216 **D. CERTIFICATION.** I/We certify that the information herein, concerning the real property located at
 217 234 Cothran Rd Hohenwald TN 38462
 218 is true and correct to the best of my/our knowledge as of the date signed. Should any of these conditions change prior to
 219 conveyance of title an addendum to this document.

220 Transferor (Seller) Tim Schoettle dollop verified 09/28/17 7:35AM CDT HGDN-XBYR-WDCE-PCAL Date 10/30/17 Time 1300
 221 Transferor (Seller) _____ Date _____ Time _____
 222

223 Parties may wish to obtain professional advice and/or inspections of the property and to negotiate
 224 appropriate provisions in the purchase agreement regarding advice, inspections or defects.
 225

226 **Transferee/Buyer's Acknowledgment:** I/We understand that this disclosure statement is not intended as a substitute for any
 227 inspection, and that I/we have a responsibility to pay diligent attention to and inquire about those material defects which are
 228 evident by careful observation. I/We acknowledge receipt of a copy of this disclosure.

229 Transferee (Buyer) _____ Date _____ Time _____

230 Transferee (Buyer) _____ Date _____ Time _____

231 If the property being purchased is a condominium, the transferee/buyer is hereby given notice that the transferee/buyer is
 232 entitled, upon request, to receive certain information regarding the administration of the condominium from the developer or
 233 the condominium association as applicable, pursuant to Tennessee Code Annotated §66-27-502.

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 (if 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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