

Hampshire County, WV

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SMITH KENNETH M & EVELYNE E

&

SMITH RAYMOND S & ROSALIE J

SMITH REVA M

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own2:

careof:

parid: 08 1026300000000

owneraddr: PO BOX 307

situsaddr: 152 W BIRCH LN

SMITH RICHARD A

SMITH RICHARD A & VICKI I

SMITH RICHARD R &

SMITH RICHARD W JR & PAMELA D

SMITH ROBERT & SUE

SMITH ROBERT A

SMITH ROBERT A & PAULA NESMITH

SMITH ROBERT A & STACEY SMITH

SMITH ROBERT ANDERSON

SMITH ROBERT G

SMITH RODNEY L & SHERIDA A

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## SELLER DISCLOSURE OF PROPERTY CONDITION

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

4-23-2002

to

Present

(Date of Purchase)

(Date of this Form)

PROPERTY ADDRESS: 90 W Rosemary Lane

SELLER'S NAME: MARY JANE HOTT

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? \_\_\_\_\_ If so, for how long? \_\_\_\_\_

3. Are you a builder or developer? NO

4. Are you a licensed real estate agent? NO

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

#### 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? NO Phase one studies completed? \_\_\_\_\_

Is report available? \_\_\_\_\_

ADDITIONAL COMMENTS: 2 - 275 GALLON FUEL OIL TANKS  
IN BASEMENT

#### C. LAND:

1. Is the house built on landfill (compacted or otherwise)? NO

Is there landfill on any portion of the property? NO

2. Any past or present flooding or drainage problems on the property? NO

3. Any standing water after rain? \_\_\_\_\_

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? NO Current flood insurance premium \$ \_\_\_\_\_

Any abandoned wells or septic tanks or cisterns? NO Where? \_\_\_\_\_

4. Has land been mined? NO Explain: \_\_\_\_\_

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

OCCASIONALLY AFTER EXTREMELY HEAVY RAIN THERE MAY BE A  
SMALL AMOUNT OF WATER IN BASEMENT BUT THERE IS A DRAIN

#### D. STRUCTURAL:

1. Approximate age of the house: 1930 Name of Builder: \_\_\_\_\_

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 \_\_\_\_\_

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

HOUSE CAUGHT ON FIRE IN EARLY 2000'S, CURRENT OWNERS  
REMODELED HOUSE TO ITS CURRENT CONDITION.

Explain: \_\_\_\_\_

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 X Stone \_\_\_\_\_ Aluminum \_\_\_\_\_ Vinyl X Cedar \_\_\_\_\_ Lap Siding \_\_\_\_\_  
Redwood \_\_\_\_\_ Fir \_\_\_\_\_ Others \_\_\_\_\_  
Date of last maintenance (paint, etc) \_\_\_\_\_
5. Any problems with retaining walls cracking or bulging? NO Repaired? \_\_\_\_\_  
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? NO Exterior walls? NO Slab floors? NO Ceilings? \_\_\_\_\_  
Chimneys? NO Fireplaces? NO Decks? \_\_\_\_\_ Garage Floor? \_\_\_\_\_ Porch Floor? \_\_\_\_\_  
Other? \_\_\_\_\_
8. Any slanted or uneven floors? NO Distorted door frames (uneven spaces between doors and frames)? NO  
Any sticking windows? NO Any sagging ceiling beams or roof rafters? NO
9. Is the crawl space damp? Y/A Has a moisture barrier been installed? \_\_\_\_\_  
Explain: \_\_\_\_\_
10. Any moisture in basement? NO Corrected? \_\_\_\_\_ Attach explanation.
11. Any windows or patio door glass broken? NO Seals broken in insulated panes? NO  
Fogged? NO
12. Did you do any improvements yourself? YES What? Everything to Remodel
13. Do you have hardwood floors under the floor coverings? NO
14. Is the laundry room in the basement? NO First Floor? YES Second Floor? \_\_\_\_\_  
Other: \_\_\_\_\_

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

#### E. ELECTRICAL SYSTEM:

1. Electric service: 60 amp? \_\_\_\_\_ 100 amp? \_\_\_\_\_ 200 amp? X Fuses? \_\_\_\_\_ Circuit Breaker? YES  
Rewired? 2003 Date: YES 2003
2. Is the wiring copper? YES or aluminum?
3. Any damage or malfunctioning receptacles? NO Switches? NO Fixtures? NO  
Attach explanation.
4. Are any extension cords stapled to baseboards or underneath carpets or rugs? NO
5. Is there GFCI wiring in Kitchen? YES Bathroom? YES Garage? NO For outside TV and TV cable? \_\_\_\_\_
6. Are you aware of any defects, malfunctions, or illegal installations or electrical equipment in or outside of house? NO

Explain: \_\_\_\_\_

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

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

1. Type of heating system? Forced Air w/AC Age? 2004 Supplemental heating? \_\_\_\_\_
2. Electronic air cleaner? NO Operable? \_\_\_\_\_ Humidifier? NO Operable? \_\_\_\_\_
3. Fireplace? YES Masonry? YES Insert? YES Fireplace damper? \_\_\_\_\_  
Last inspection and cleaning? \_\_\_\_\_ By whom? \_\_\_\_\_
4. Are fuel-consuming heating devices adequately vented to the outside? YES
5. Type of cooling system? CENTRAL A/C Age? 2004 Number of ceiling fans? 2  
Attic Fan? NO
6. Is clothes dryer vented to outside? YES Connection for Gas Dryer? NO  
Electric Dryer? YES
7. Foundation vents? \_\_\_\_\_ Roof Vents? \_\_\_\_\_ Attic Vents? YES Bath Vent fans? \_\_\_\_\_  
Kitchen Vent fan? YES Other? \_\_\_\_\_
8. Number of Electric garage door openers? \_\_\_\_\_ Operable? \_\_\_\_\_ Number of controls? \_\_\_\_\_  
Operable? \_\_\_\_\_ Age? \_\_\_\_\_

9. Smoke Detectors? Yes How many? 4 Wired to electric system? Yes  
 Battery? Backup Operable? Yes
10. Water softener? NA Operable? \_\_\_\_\_  
 Burglar alarm? NO Make? \_\_\_\_\_ Operable? \_\_\_\_\_ R-Rate? \_\_\_\_\_  
 Leased? \_\_\_\_\_
11. Is there insulation in: Ceiling? \_\_\_\_\_ R-Rate? \_\_\_\_\_ Walls? \_\_\_\_\_ R-Rate? \_\_\_\_\_ Floors? \_\_\_\_\_ R-Rate? \_\_\_\_\_
- ADDITIONAL COMMENTS: \_\_\_\_\_

#### G. PLUMBING SYSTEM:

1. Source of water supply: Public? X Private Well? \_\_\_\_\_ Cistern? \_\_\_\_\_  
 If private well, when was water sample last checked for safety? \_\_\_\_\_ Result of \_\_\_\_\_  
 test? \_\_\_\_\_ Depth? \_\_\_\_\_ ft.
2. Well water pump: \_\_\_\_\_ Date installed \_\_\_\_\_ Condition \_\_\_\_\_  
 Sufficient water during late Summer? \_\_\_\_\_
3. Type of water supply pipes? Copper? \_\_\_\_\_ Galvanized? NO Plastic? \_\_\_\_\_ Normal water  
 pressure? GOOD
4. Are you aware of excessive stains in tubs, lavatories, or sinks? NO
5. Type sewer: City sewer? X PSD sewer? \_\_\_\_\_ Septic tank? \_\_\_\_\_  
 Installation date: \_\_\_\_\_ Type material: Fiberglass? \_\_\_\_\_ Concrete? \_\_\_\_\_ Steel? \_\_\_\_\_  
 Private treatment plant? \_\_\_\_\_ Aeration system? \_\_\_\_\_  
 Date of last cleaning? \_\_\_\_\_ By whom? \_\_\_\_\_
6. Type of water heater: Electric? X Gas? \_\_\_\_\_ LP Gas? \_\_\_\_\_ Capacity? 80 (gals)  
 Age? 2004
7. Are you aware of any slow drains? NO
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: \_\_\_\_\_

#### H. APPLIANCES:

Check the following appliances that remain with the property:

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

ADDITIONAL COMMENTS:

Range, microwave, Dishwasher, Refrigerator, Washer & Dryer

#### 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? \_\_\_\_\_ 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? \_\_\_\_\_ Protective covenants? \_\_\_\_\_
9. Copy of deed has been provided to listing agent? YES



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

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

1. Type of Roof: Shingle? X Wood Shingle? \_\_\_\_\_ Slate? \_\_\_\_\_ Rolled rubber? \_\_\_\_\_ Other? \_\_\_\_\_  
Age of Roof? 2004
2. Has the roof been resurfaced? \_\_\_\_\_ Replaced? \_\_\_\_\_ If so, what year? 2004  
Installed by whom? owner
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? yes
5. Do downspouts lead from structure? yes 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? \_\_\_\_\_ Air conditioning? \_\_\_\_\_ Furnace? \_\_\_\_\_  
Soils/Drainage? \_\_\_\_\_ Structural? \_\_\_\_\_ Well? \_\_\_\_\_ Radon? \_\_\_\_\_ Pest Control? \_\_\_\_\_  
Geological/Core Drilling? \_\_\_\_\_ Lead based paint? \_\_\_\_\_ Asbestos? \_\_\_\_\_ Septic Tank/Sewer  
System? \_\_\_\_\_ Formaldehyde? \_\_\_\_\_ Pool/Spa? \_\_\_\_\_ Home Inspection? \_\_\_\_\_ Energy Audit? \_\_\_\_\_  
City/County Inspection? \_\_\_\_\_ Notice of Violation? \_\_\_\_\_ Other? \_\_\_\_\_ Attach explanation and  
copies of reports. \_\_\_\_\_

**L. UTILITIES:**

Gas Company HOSBINS Gas Budget \$1200 Per Year  
FULL COIL  
Electric Company POTOMAC Edison Elec. Budget \$120  
Water Company CITY OF REMNEY Average Water Bill \$80  
Sewage Company CITY OF REMNEY  
Trash Company UNITED DISPOSAL Trash Cost \$65 Per Yr  
TV Cable Company ATLANTIC BROADBAND  
Satellite Company \_\_\_\_\_

**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.): Previous owner died in Home Due to smoke inhalation during  
Fire in approx 2001

The foregoing answer and explanations are true and complete to the best of my/our knowledge, I/We have authorized Keenan Shults, 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 4 pages, with attachments.

SELLER: Mary Jane Hart SELLER: \_\_\_\_\_ DATE: 7-13-16

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) KS 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>Mary Jane Holt</u>	<u>7/13/16</u>	_____ SELLER	_____ DATE	_____ SELLER	_____ DATE
_____ PURCHASER	_____ DATE	_____ PURCHASER	_____ DATE	_____ AGENT	_____ DATE
<u>[Signature]</u>	<u>7-13-16</u>	_____ AGENT	_____ DATE	_____ AGENT	_____ DATE