

Property Condition Disclosure Statement

Name of Seller or Sellers: James F Carmody and Dorothy Carmody

Property Address: 111 Black Cherry Lane, Cold Brook, NY 13324

Tax ID #: 072.4-2-13

General Instructions:

The Property Condition Disclosure Act requires the seller of residential real property to cause this disclosure statement or a copy thereof to be delivered to a buyer or buyer's agent prior to the signing by the buyer of a binding contract of sale.

Purpose of Statement:

This is a statement of certain conditions and information concerning the property known to the seller. This Disclosure Statement is not a warranty of any kind by the seller or by any agent representing the seller in this transaction. It is not a substitute for any inspections or tests and the buyer is encouraged to obtain his or her own independent professional inspections and environmental tests and also is encouraged to check public records pertaining to the property.

A knowingly false or incomplete statement by the seller on this form may subject the seller to claims by the buyer prior to or after the transfer of title. In the event a seller fails to perform the duty prescribed in this article to deliver a Disclosure Statement prior to the signing by the buyer of a binding contract of sale, the buyer shall receive upon the transfer of title a credit of \$500 against the agreed upon purchase price of the residential real property.

"Residential real property" means real property improved by a one to four family dwelling used or occupied, or intended to be used or occupied, wholly or partly, as the home or residence of one or more persons, but shall not refer to (a) unimproved real property upon which such dwellings are to be constructed or (b) condominium units or cooperative apartments or (c) property on a homeowners' association that is not owned in fee simple by the seller.

Instructions to the Seller:

- Answer all questions based upon your actual knowledge.
- Attach additional pages with your signature if additional space is required.
- Complete this form yourself.
- If some items do not apply to your property, check "NA" (Non-applicable). If you do not know the answer check "Unkn" (Unknown).

Seller's Statement:

The seller makes the following representations to the buyer based upon the seller's actual knowledge at the time of signing this document. The seller authorizes his or her agent, if any, to provide a copy of this statement to a prospective buyer of the residential real property. The following are representations made by the seller and are not the representations of the seller's agent.

GENERAL INFORMATION

- How long have you owned the property? 1989
- How long have you occupied the property? 1989
- What is the age of the structure or structures? 1989.
Note to buyer – If the structure was built before 1978 you are encouraged to investigate for the presence of lead based paint.
- Does anybody other than yourself have a lease, easement or any other right to use or occupy any part of your property other than those stated in documents available in the public record, such as rights to use a road or path or cut trees or crops? ☐ Yes ☒ No ☐ Unkn ☐ NA
- Does anybody else claim to own any part of your property? If Yes, explain below ☐ Yes ☒ No ☐ Unkn ☐ NA

Property Condition Disclosure Statement

6. Has anyone denied you access to the property or made a formal legal claim challenging your title to the property? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
7. Are there any features of the property shared in common with adjoining landowners or a homeowner's association, such as walls, fences or driveways? *If Yes, describe below* ☐ Yes ☐ No ☐ Unkn ☐ NA
Home Owner Assoc.
Approx: 600. per Year.
8. Are there any electric or gas utility surcharges for line extensions, special assessments or homeowner or other association fees that apply to the property? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
9. Are there certificates of occupancy related to the property? *If No, explain below* ☐ Yes ☐ No ☒ Unkn ☐ NA

ENVIRONMENTAL

Note to Seller:

In this section, you will be asked questions regarding petroleum products and hazardous or toxic substances that you know to have been spilled, leaked or otherwise been released on the property or from the property onto any other property. Petroleum products may include, but are not limited to, gasoline, diesel fuel, home heating fuel, and lubricants. Hazardous or toxic substances are products that could pose short or long-term danger to personal health or the environment if they are not properly disposed of, applied or stored. These include, but are not limited to, fertilizers, pesticides and insecticides, paint including paint thinner, varnish remover and wood preservatives, treated wood, construction materials such as asphalt and roofing materials, antifreeze and other automotive products, batteries, cleaning solvents including septic tank cleaners, household cleaners and pool chemicals and products containing mercury and lead.

Note to Buyer:

If contamination of this property from petroleum products and/or hazardous or toxic substances is a concern to you, you are urged to consider soil and groundwater testing of this property.

10. Is any or all of the property located in a designated floodplain? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
11. Is any or all of the property located in a designated wetland? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
12. Is the property located in an agricultural district? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA
13. Was the property ever the site of a landfill? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

Property Condition Disclosure Statement

14. Are there or have there ever been fuel storage tanks above or below the ground on the property? ☐ Yes ☒ No ☐ Unkn ☐ NA
• If Yes, are they currently in use? ☐ Yes ☐ No ☐ Unkn ☐ NA
• Location(s)
.....
• Are they leaking or have they ever leaked? If Yes, explain below ☐ Yes ☐ No ☐ Unkn ☐ NA
.....
.....
15. Is there asbestos in the structure? If Yes, state location or locations below ☐ Yes ☒ No ☐ Unkn ☐ NA
.....
.....
16. Is lead plumbing present? If Yes, state location or locations below ☐ Yes ☒ No ☐ Unkn ☐ NA
.....
.....
17. Has a radon test been done? If Yes, attach a copy of the report ☐ Yes ☒ No ☒ Unkn ☐ NA
18. Has motor fuel, motor oil, home heating fuel, lubricating oil or any other petroleum product, methane gas, or any hazardous or toxic substance spilled, leaked or otherwise been released on the property or from the property onto any other property? If Yes, describe below ☐ Yes ☒ No ☐ Unkn ☐ NA
.....
.....
19. Has the property been tested for the presence of motor fuel, motor oil, home heating fuel, lubricating oil, or any other petroleum product, methane gas, or any hazardous or toxic substance? If Yes, attach report(s) ☐ Yes ☒ No ☐ Unkn ☐ NA
.....
.....

STRUCTURAL

20. Is there any rot or water damage to the structure or structures? If Yes, explain below ☐ Yes ☐ No ☒ Unkn ☐ NA
.....
.....
21. Is there any fire or smoke damage to the structure or structures? If Yes, explain below ☐ Yes ☒ No ☐ Unkn ☐ NA
.....
.....
22. Is there any termite, insect, rodent or pest infestation or damage? If Yes, explain below ... ☐ Yes ☒ No ☐ Unkn ☐ NA
.....
.....
23. Has the property been tested for termite, insect, rodent or pest infestation or damage? ☐ Yes ☒ No ☐ Unkn ☐ NA
If Yes, please attach report(s)
24. What is the type of roof/roof covering (slate, asphalt, other)? meta L
..... None noted.
..... Fully New
- Any known material defects?
• How old is the roof?

Property Condition Disclosure Statement

- Is there a transferable warrantee on the roof in effect now? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

25. Are there any know material defects in any of the following structural systems: footings, beams, girders, lintels, columns or partitions? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

MECHANICAL SYSTEMS AND SERVICES

26. What is the water source? (*Circle all that apply*) ☒ well, ☐ private, ☐ municipal, other: _____

- If municipal, is it metered? ☐ Yes ☐ No ☐ Unkn ☐ NA

27. Has the water quality and/or flow rate been tested? *If Yes, describe below* ☐ Yes ☐ No ☒ Unkn ☐ NA

28. What is the type of sewage system? (*Circle all that apply*) ☒ public sewer, ☐ private sewer, ☐ septic, ☐ cesspool

- If septic or cesspool, age? 1989.
• Date last pumped? Not Sure
• Frequency of pumping? N/A.
• Any known material defects? *If Yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

29. Who is your electrical service provider? Nat Grid
• What is the amperage? 200 amp
• Does it have circuit breakers or fuses? Circuit breakers
• Private or public poles? Private
• Any known material defects? *If yes, explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

30. Are there any flooding, drainage or grading problems that resulted in standing water on any portion of the property? *If Yes, state locations and explain below* ☐ Yes ☒ No ☐ Unkn ☐ NA

31. Does the basement have seepage that results in standing water? *If Yes, explain below* ☐ Yes ☐ No ☒ Unkn ☐ NA

Are there any known material defects in any of the following? *If Yes, explain below. Use additional sheets if necessary*

32. Plumbing system? ☐ Yes ☒ No ☐ Unkn ☐ NA

33. Security system? ☐ Yes ☐ No ☐ Unkn ☒ NA

34. Carbon monoxide detector? ☐ Yes ☒ No ☐ Unkn ☐ NA

Property Condition Disclosure Statement

35. Smoke detector? ☐ Yes ☒ No ☐ Unkn ☐ NA
36. Fire sprinkler system? ☐ Yes ☐ No ☐ Unkn ☒ NA
37. Sump pump? ☐ Yes ☐ No ☒ Unkn ☒ NA
38. Foundation/slab? ☐ Yes ☒ No ☐ Unkn ☐ NA
39. Interior walls/ceilings? ☐ Yes ☒ No ☐ Unkn ☐ NA
40. Exterior walls or siding? ☐ Yes ☒ No ☐ Unkn ☐ NA
41. Floors? ☐ Yes ☒ No ☐ Unkn ☐ NA
42. Chimney/fireplace or stove? ☐ Yes ☒ No ☐ Unkn ☐ NA
43. Patio/deck? ☐ Yes ☒ No ☐ Unkn ☐ NA
44. Driveway? ☐ Yes ☒ No ☐ Unkn ☐ NA
45. Air conditioner? ☐ Yes ☐ No ☐ Unkn ☒ NA
46. Heating system? *Fully New Propane* ☐ Yes ☒ No ☐ Unkn ☐ NA
47. Hot water heater? *Electric* ☐ Yes ☒ No ☐ Unkn ☐ NA

48. The property is located in the following school district Poland Central ☐ Unkn

Note: Buyer is encouraged to check public records concerning the property (e.g. tax records and wetland and floodplain maps).

The seller should use this area to further explain any item above. If necessary, attach additional pages and indicate here the number of additional pages attached.

*Propane forced Air
Pellet Stov*

*Lake Access
Above Ground Pool
24x24*

Whole house Generator

Needs a liner

Property Condition Disclosure Statement

Seller's Certification:

Seller certifies that the information in this Property Condition Disclosure Statement is true and complete to the seller's actual knowledge as of the date signed by the seller. If a seller of residential real property acquires knowledge which renders materially inaccurate a Property Condition Disclosure Statement provided previously, the seller shall deliver a revised Property Condition Disclosure Statement to the buyer as soon as practicable. In no event, however, shall a seller be required to provide a revised Property Condition Disclosure Statement after the transfer of title from the seller to the buyer or occupancy by the buyer, whichever is earlier.

Seller's Signature

X Jane F. Canoy

Date 8-27-22

Seller's Signature

X Dorothy Canoy

Date 8-23-22

Buyer's Acknowledgment:

Buyer acknowledges receipt of a copy of this statement and buyer understands that this information is a statement of certain conditions and information concerning the property known to the seller. It is not a warranty of any kind by the seller or seller's agent and is not a substitute for any home, pest, radon or other inspections or testing of the property or inspection of the public records.

Buyer's Signature

X _____

Date _____

Buyer's Signature

X _____

Date _____

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

Lead Warning Statement

111 Black Cherry Lane, Cold Brook, NY 13324

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

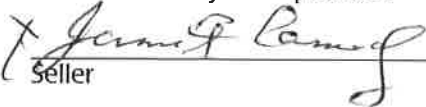
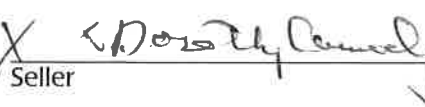




(ii) _____ waived the opportunity to conduct a risk assessment or inspection for the presence of lead-based paint and/or lead-based paint hazards.

Agent's Acknowledgment (initial)

(f) ☒ Agent has informed the seller of the seller's obligations under 42 U.S.C. 4852(d) 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.

	8-23-22		8-23-22
Seller	Date	Seller	Date
	8-23-22		8-23-22
Purchaser	Date	Purchaser	Date
	8-23-22		8-23-22
Agent	Date	Agent	Date

Gateway Properties of Upstate NY Inc.

PO Box 155, 10202 Joslyn Rd, Alder Creek, NY 13301

Phone: 315-831-8778, Fax: 315-831-3741

Uncapped Natural Gas Well Disclosure Form and Notice

For property commonly known as:

111 Black Cherry Ln, Cold Brook, NY 13324, Tax ID: 072.4-2-13

As the seller of residential real property, you are required by law to disclose the existence of an
UNCAPPED

NATURAL GAS WELL on your property of which you have actual knowledge and to disclose such fact to
any purchaser of your property prior to entering into a contract for the sale of such property.

Section 242(3) of the Real Property Law states as follows:

Any person, firm, company, partnership or corporation offering to sell real property on which uncapped
natural gas wells are situated, and of which such person, firm, company, partnership or corporation has
actual knowledge, shall inform any purchaser of the existence of these wells prior to entering into a
contract for the sale/purchase of such property.

Initial the following:

✓ I HAVE NO actual knowledge of any uncapped natural gas well(s) on the aforementioned
property.

 I HAVE actual knowledge of an uncapped natural gas well(s) on the aforementioned property.

I have received and read this disclosure notice. I authorize my agent to provide a copy of this disclosure
notice to any prospective purchaser.

Dated: 8-23-22 Seller: Jane Fleming ✓

Dated: 8-23-22 Seller: Dorothy Camody ✓

Dated: _____ Buyer: _____