

## TENNESSEE RESIDENTIAL PROPERTY CONDITION **DISCLOSURE**

1	PROPERTY ADDRESS 9484 Lucky Rd CITY McMinnville
2	SELLER'S NAME(S) Duane Weaver & Amber Weaver PROPERTY AGE30
3	DATE SELLER ACQUIRED THE PROPERTY 07/27/2020 DO YOU OCCUPY THE PROPERTY? yes
4	IF NOT OWNER-OCCUPIED, HOW LONG HAS IT BEEN SINCE THE SELLER OCCUPIED THE PROPERTY? N/A
5	(Check the one that applies) The property is a site-built home non-site-built home
6 7 8 9 10 11	The Tennessee Residential Property Disclosure Act requires sellers of residential real property with one to four dwelling units to furnish to a buyer one of the following: (1) a residential property disclosure statement (the "Disclosure"), or (2) a residential property disclaimer statement (permitted only where the buyer waives the required Disclosure). Some property transfers may be exempt from this requirement (See Tenn. Code Ann. § 66-5-209). The following is a summary of the buyers' and sellers' rights and obligations under the Act. A complete copy of the Act may be found at http://www.lexisnexis.com/hottopics/tncode (See Tenn. Code Ann. § 66-5-201, et seq.)

- 12 Sellers must disclose all known material defects and must answer the questions on the Disclosure form in good faith to the 13 best of the seller's knowledge as of the Disclosure date.
  - Sellers must give the buyers the Disclosure form before the acceptance of a purchase contract.
- 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.
- 17 Sellers may give the buyers a report or opinion prepared by a professional inspector or other expert(s) or certain information 18 provided by a public agency, in lieu of responding to some or all of the questions on the form (See Tenn. Code Ann. § 66-19 5-204).
- 20 Sellers are not required to have a home inspection or other investigation in order to complete the Disclosure form.
- 21 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.
  - Sellers involved in the first sale of a dwelling must disclose the amount of any impact fees or adequate facility taxes paid.
- 24 Sellers are not required to disclose if any occupant was HIV-positive, or had any other disease not likely to be transmitted 25 by occupying a home, or whether the home had been the site of a homicide, suicide or felony, or act or occurrence which 26 had no effect on the physical structure of the property.
- 27 Sellers may provide an "as is", "no representations or warranties" disclaimer statement in lieu of the Disclosure form only 28 if the buyer waives the right to the required disclosure, otherwise the sellers must provide the completed Disclosure form 29 (See Tenn. Code Ann. § 66-5-202).
- 30 10. Sellers may be exempt from having to complete the Disclosure form in certain limited circumstances (e.g. public auctions, court orders, some foreclosures and bankruptcies, new construction with written warranty or owner has not resided on the 31 32 property at any time within the prior 3 years). (See Tenn. Code Ann. § 66-5-209).
- 33 11. Buyers are advised to include home, wood infestation, well, water sources, septic system, lead-based paint, radon, mold, 34 and other appropriate inspection contingencies in the contract, as the Disclosure form is not a warranty of any kind by the 35 seller, and is not a substitute for any warranties or inspections the buyer may desire to purchase.
- 36 12. Any repair of disclosed defects must be negotiated and addressed in the Purchase and Sale Agreement; otherwise, seller is 37 not required to repair any such items.
- 38 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 14. Remedies for misrepresentations or nondisclosure in a Property Condition Disclosure statement may be available to buyer 41 and are set out fully in Tenn. Code Ann. § 66-5-208. Buyer should consult with an attorney regarding any such 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 Disclosure, 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:

2	■ Range    □ Wall/Window Air Conditioni			ng	☐ Garage Door Opener(s) (Number of ope	eners)					
73	<b>X</b> Window Screens <b>X</b> Oven				<b>x</b> Fireplace(s) (Number) <b>1</b>						
74	□ Intercom				<b>X</b> Gas Starter for Fireplace						
75	★ Garbage Disposal	<b>x</b> Gas Fi	replace Logs		□ TV Antenna/Satellite Dish						
76	☐ Trash Compactor	<b>X</b> Smoke	e Detector/Fire Alarm		□ Central Vacuum System and attachmen	ts					
77	<b>X</b> Spa/Whirlpool Tub	□ Burgla	ar Alarm		<b>X</b> Current Termite contract						
78	□ Water Softener				□ Hot Tub						
79				Grill	■ Washer/Dryer Hookups						
80	□ Sauna	□ Irrigat	ion System		□ Pool						
81	★ Dishwasher □ A key to all exterior doors				■ Access to Public Streets						
82	□ Sump Pump <b>X</b> Rain Gutters				☐ Heat Pump						
83	★ Central Heating	<b>X</b> Centra	al Air								
84	□ Other				□ Other						
85	Water Heater: X Elec		□ Gas	□ Solar							
86	Garage:	ched	■ Not Attached	□ Carpor	t						
87	Water Supply:   City		□ Well	□ Private	Utility Other						
88	Gas Supply:   Utili	ty	<b>¥</b> Bottled	□ Other	-						
89	Waste Disposal: □ City	Sewer	¥ Septic Tank	□ Other		-					
90	Roof(s): Type		shingle		Age (approx):	vr 1991	31				

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	er Items:		31					
93	_			washer, microwa				
94 To t	o the best of your knowledge, are any of the above NOT in operating condition?					□ YE	S	M NO
95 If Y 96 97 98	ES, then describe	e (attach a	idditiona	ll sheets if necessary)	):			
99 <b>B.</b>	ARE YOU (SE	,			S/MALFUNCTIONS			
		YES	NO	UNKNOWN		YES	NO	UNKNOWN
	erior Walls		X		Roof		M	
	lings		X		Basement			
02 Floo			X		Foundation		X	
03 Wii	ndows		X		Slab			
04 Doo	ors		×		Driveway		M	
	ulation		x		Sidewalks		X	
06 Plu	mbing System		K		Central Heating		×	
7 Sev	wer/Septic		K		Heat Pump			
8 Ele	ctrical System		ĸ		Central Air Cond	litioning 🗆 🗆	M	
9 Ext	terior Walls		×					
				E OF ANY OF TH		YES N		NKNOWN
13 1. 14 15 16 17		ot limited orage tanl	to: asbe	ts which may be envestos, radon gas, lead aminated soil or			<b>3</b>	
18 2. 19 20								
21 3. 22	Any authorize property, or co	_		ls, drainage or utiliti	es affecting the		x	
23 4.		, B	•	roperty	r			
		since the	most rec	ent survey of the pr	operty was done?		×	0
24	Any changes s Most recent su	since the	most rec	ent survey of the pr	operty was done?	□ check here if un	×	
<b>25</b> 5.	Most recent su	since the survey of t	most rec he propose	tent survey of the preserty: 2020	operty was done? (Date) (c	_	×	
25 5. 26 27 6. 28	Most recent su Any encroach ownership into Room addition repairs made	since the survey of to ments, earerest in the ms, structured without n	most rec he prope sements he prope ural mod ecessary	eent survey of the preerty: 2020 s, or similar items the rty? diffications or other as a permits?	operty was done?(Date) (or at may affect your distributions or	check here if un	<b>K</b> known)	
25 5. 26 27 6. 28 29 7.	Most recent su Any encroach ownership into Room addition repairs made va Room addition	since the curvey of to ments, earerst in the ms, structowithout nos, structors, structors, structors, structors	most received the property of	cent survey of the pre- erty: 2020 s, or similar items the rty?	operty was done?(Date) (or at may affect your distributions or	check here if un	known)	
26 27 28 29 7. 30 31 8.	Any encroach ownership into Room addition repairs made of Room addition repairs not in Landfill (comthereof?	since the curvey of to ments, earerest in the ns, struction without nons, struction compliant pacted or	most received he proper seements are proper ural mode ecessary ural mode with the otherw	tent survey of the property: 2020 s, or similar items the rty? diffications or other at permits? diffications or other at building codes? ise) on the property	operty was done? (Date) (or at may affect your alterations or or any portion	check here if un	known)	
25 5. 26 27 6. 28 29 7. 30 31 8. 32 33 9.	Any encroach ownership into Room addition repairs made of Room addition repairs not in Landfill (comthereof?	since the aurvey of the ments, earerst in the ms, structed without not not compliant pacted or any arrown any	most receive properties are properti	tent survey of the property: 2020 s, or similar items the rty? diffications or other at permits? diffications or other at building codes? ise) on the property or slippage, sliding or	operty was done?(Date) (or at may affect your literations or affect y	check here if un	known)  K	

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			YES	NO	UNKNOWN
136 137 138	12.	Property or structural damage from fire, earthquake, floods, or landslides? If yes, please explain (use separate sheet if necessary).	0	×	
139 140 141 142 143 144	13.	If yes, has said damage been repaired? Is the property serviced by a fire department? If yes, in what fire department's service area is the property located? (Fire Dehttps://tnmap.tn.gov/fdtn/) McMinnville Fire Department	m pt. Locat	□ lor can be	c found:
145 146		Is the property owner subject to charges or fees for fire protection, such as subscriptions, association dues or utility fees?		×	
147 148	14.	Any zoning violations, nonconforming uses and/or violations of "setback" requirements?		×	
149	15.	Neighborhood noise problems or other nuisances?		ĸ	
150	16.	Subdivision and/or deed restrictions or obligations?		M	
151 152 153 154 155 156 157	17.	Special Assessments: Monthly Dues Transfer Fees	s: : ,		
158 159	18.	Any "common area" (facilities such as, but not limited to, pools, tennis courts, walkways or other areas co-owned in undivided interest with others)?		* * * * * * * * * * * * * * * * * * *	
160	19.	Any notices of abatement or citations against the property?		×	
161 162	20.	Any lawsuit(s) or proposed lawsuit(s) by or against the seller which affects or will affect the property?		, <b>K</b>	
163 164 165 166 167	21.	Is any system, equipment or part of the property being leased?  If yes, please explain, and include a written statement regarding payment information.		×	
168 169	22.	Any exterior wall covering of the structure(s) covered with exterior insulation and finish systems (EIFS), also known as "synthetic stucco"?		×	0
170 171 172		If yes, has there been a recent inspection to determine whether the structure has excessive moisture accumulation and/or moisture related damage?  (The Tennessee Real Estate Commission urges any buyer or seller who			
173 174 175 176 177		professional inspect the structure in question for the preceding concern and finding.)  If yes, please explain. If necessary, please attach an additional sheet.			
178 179 180 181 182		Is there an exterior injection well anywhere on the property?  Is seller aware of any percolation tests or soil absorption rates being 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.		x	
183 184	25.	Has any residence on this property ever been moved from its original foundation to another foundation?		×	

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			YES	NO	UNKNOW	'N				
185	26.	Is this property in a Planned Unit Development? Planned Unit Development		×		14				
186		is defined pursuant to Tenn. Code Ann. § 66-5-213 as "an area of lan								
187		controlled by one (1) or more landowners, to be developed under unified control								
188		or unified plan of development for a number of dwelling units, commercia								
189		educational, recreational or industrial uses, or any combination of the								
190		foregoing, the plan for which does not correspond in lot size, bulk or type								
191		use, density, lot coverage, open space, or other restrictions to the existing la	nd							
192		use regulations." Unknown is not a permissible answer under the statute.								
193	27.	Is a sinkhole present on the property? A sinkhole is defined pursuant to Ten	n. 🗆	×						
194		Code Ann. § 66-5-212(c) as "a subterranean void created by the dissolution	of		_					
195		limestone or dolostone strata resulting from groundwater erosion, causing	g a							
196		surface subsidence of soil, sediment, or rock and is indicated through t	he							
197		contour lines on the property's recorded plat map."								
198	28.	Was a permit for a subsurface sewage disposal system for the Property issue	d 🗆	×						
199		during a sewer moratorium pursuant to Tenn. Code Ann. § 68-221-409? If								
200		yes, Buyer may have a future obligation to connect to the public sewer syste	m.							
201	D.	CERTIFICATION. I/We certify that the information herein, concerning to								
202		real property located at								
203		9484 Lucky Rd	McM	innville	TN	37110				
204		is true and correct to the best of my/our knowledge as of the date signed. Sh	nould	any of these cor	nditions cha	nge prior to				
205	conveyance of title to this property, these changes will be disclosed in an addendum to this document.									
206		Transferor (Seller) Juane Wasser	Date	06/25/2022	Time	6 pm				
207		Transferor (Seller) Unboulded	Date	06/25/2022	Time	6 pm				
208		Parties may wish to obtain professional advice and/or inspections								
209		appropriate provisions in the purchase agreement regarding ad								
210	_									
211		insferee/Buyer's Acknowledgment: I/We understand that this disclosure st								
212		pection, and that I/we have a responsibility to pay diligent attention to and in			erial defects	which are				
213	evi	dent by careful observation. I/We acknowledge receipt of a copy of this d	isclos	ure.						
214		Transferee (Buyer)	Date		Time					
215		Transferee (Buyer)	Date		Time					
216	If the property being purchased is a condominium, the transferee/buyer is hereby given notice that the transferee/buyer									
217	enti	tled, upon request, to receive certain information regarding the administrati	on of	the condominiu	m from the	developer or				
218	the	condominium association as applicable, pursuant to Tennessee Code Annota	ated §	66-27-502.		-				

NOTE: This form is provided by Tennessee REALTORS® 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 Tennessee REALTORS® logo in conjunction with any form other than standardized forms created by Tennessee REALTORS® 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.



