

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission.
(SPD19-6-23) (Available 8-23, Mandatory 1-24)

**SELLER'S PROPERTY DISCLOSURE
(RESIDENTIAL)**

THIS SELLER'S PROPERTY DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Seller's Property Disclosure ("SPD") is correct to **Seller's CURRENT ACTUAL KNOWLEDGE** as of this Date. **Any changes must be disclosed by Seller to Buyer promptly after discovery. Seller's failure to disclose a known adverse material fact** affecting the Property or occupant **may result in legal liability**. If the sales contract requires Seller to complete this SPD, this form must be fully completed to Seller's current actual knowledge, as of the date of the Contract. If Seller has knowledge of an adverse material fact affecting the Property or occupants, it must be disclosed whether there is a specific item on this SPD or not. If the Property is part of a Common Interest Community, this SPD is limited to the Property or unit itself, except as stated in Section O. Broker may deliver a copy of this SPD to prospective buyers.

SELLER: Your answers are NOT limited to only the space provided in this SPD. Attach additional pages, reports, receipts, or any other documents you believe necessary for the information you provide to be complete.

Note: Buyer and Seller should review the Advisory at the end of this SPD.

Date: **9/4/2023**

Property:

44 Southpark Road, Florissant, CO 80816

Seller: **Chris W Eahehart and Julie A O'Shaughnessy**

Year Built: **2000**

Year Seller Acquired Property: **2020**

Note: The Contract to Buy and Sell Real Estate, not this SPD, determines whether an item is included or excluded in the sale. If there is an inconsistency between this SPD and the Contract, the Contract controls.

I. IMPROVEMENTS

A.	BUILDING CONDITIONS (all aspects of the Property to include decks and patios) If you know of any of the following problems EVER EXISTING , check the "Yes" column:	Yes	Comments
1	Structural		
2	Moisture and/or water		
3	Damage due to termites, other insects, birds, animals, or rodents		
4	Damage due to hail, wind, fire, flood, or other casualty		
5	Cracks, heaving or settling		
6	Exterior wall or window		
7	Exterior Artificial Stucco (EIFS)		
8	Subfloors		
9			
10			

B.	ROOF If you know of any of the following problems EVER EXISTING , check the "Yes" column:	Yes	Comments
1	Roof leak		
2	Damage to roof		
3	Skylight		
4	Gutter or downspout		
5	Other roof problems, issues or concerns		
6			

	ELECTRICAL & TELECOMMUNICATIONS If you know of any problems EVER EXISTING with the following, check the "Yes" column:			
14	Electrical Service			
15	Aluminum wiring at the outlets (110)			
16	Solar panels: ☐ Owned ☐ Leased			
17	Wind generators: ☐ Owned ☐ Leased			
17	Electric Wiring or Panel			
18				
19				
	ELECTRICAL & TELECOMMUNICATIONS - Other Information: Do you know of the following on the Property:			
20	220 volt service			
21	Electrical Service: Amps			
22	Landscape Lighting			
23	Electrical Provider: Core			
24	Cable/TV provider Direct TV			
25	Seller's Internet Provider Peak			
26				

E. MECHANICAL	If you know of any problems NOW EXISTING with the following, check the "Yes" column:	Yes	Age If Known	Comments
1	Overhead doors (including garage doors)			
2	Entry gate system			
3	Elevator			
4	Sump pump(s): # of			
5	Recycle pump			
6				
7				

F. VENTILATION, AIR & HEAT	If you know of any problems NOW EXISTING with the following, check the "Yes" column:	Yes	Age If Known	Comments
1	Heating System			
2	Evaporative cooler			
3	Window air conditioning units			
4	Central air conditioning			
5	Attic/whole house fan			
6	Vent fans			
7	Humidifier			
8	Air purifier			
9	Fireplace			
10	Fireplace insert			
11	Heating Stove			
12	Fuel tanks			

13				
14				
	VENTILATION, AIR & HEAT - Other Information: Do you know of the following on the Property:			
15	Heating system (including furnace): Type Furnace Fuel Natural gas Type Fuel			
16	Fireplace: Type Gas Fuel Natural gas			
17	Heating Stove: Type Fuel			
18	When was fireplace/wood stove, chimney/flue last cleaned: Date: 2020 ☐ Do not know			
19	Fuel tanks: ☐ Owned ☐ Leased			
20	Radiant heating system: ☐ Interior ☐ Exterior Type			
21	Fuel Provider: Natural gas			
22				

G. WATER If you know of any problems NOW EXISTING with the following, check the "Yes" column:	Yes	Age If Known	Comments
1	Water heater(s)		
2	Water filter system		
3	Water softener		
4	Water system pump		
5	Sauna		
6	Hot tub or spa		
7	Steam room/shower		
8	Underground sprinkler system		
9	Fire sprinkler system		
10	Backflow prevention device		
11	Irrigation pump		
12			
13			
Water If you know of any problems EVER EXISTING with the following, check the "Yes" column:			
14	Water system (including lines and water pressure)		
15	Well		
16	Pool		
17	Irrigation system		
18			
19			
WATER - Other Information: Do you know of the following on the Property:			
20	Water heater: Number of 1 Fuel type Natural gas Capacity		
21	Water filter system: ☐ Owned ☐ Leased		
22	Water softener: ☐ Owned ☐ Leased		
23	Master Water Shutoff Location: Crawl space		
24	Well metered		
25	Well Pump: Date of last inspection 2020 Date of last service		

26	Galvanized pipe			
27	Polybutylene pipe			
28	Well Pump - GPM Date:			
29	Cistern water storage gallons			
30	Supplemental water purchased in past 2 years?			
31				

H. SOURCE OF WATER & WATER SUPPLY Do you know of the following on the Property:	
1	Type of water supply: ☐ Public ☐ Community ☒ Well ☐ Shared Well ☐ Other ☐ None If the Property is served by a Well, a copy of the Well Permit ☐ Is ☒ Is Not attached . Well Permit #: Drilling Records ☐ Are ☐ Are Not attached. Shared Well Agreement ☐ Yes ☐ No. The Water Provider for the Property can be contacted at: Name: _____ Address: _____ Web Site: _____ Phone No.: _____ ☐ There is neither a Well nor a Water Provider for the Property. The source of potable water for the Property is [describe source]: SOME WATER PROVIDERS RELY, TO VARYING DEGREES, ON NONRENEWABLE GROUND WATER. YOU MAY WISH TO CONTACT YOUR PROVIDER (OR INVESTIGATE THE DESCRIBED SOURCE) TO DETERMINE THE LONG-TERM SUFFICIENCY OF THE PROVIDER'S WATER SUPPLIES.

	I. SEWER If you know of any problems EVER EXISTING with the following, check the "Yes" column:	Yes	Comments
1	Sewage system (including sewer lines)		
2	Lift station (sewage ejector pump)		
3			
4			
	SEWER - Other Information Do you know of the following on the Property:		
5	Type of sanitary sewer service: ☐ Public ☐ Community ☒ Septic System ☐ None ☐ Other If the Property is served by an on-site septic system, provide buyer with a copy of the permit. Type of septic system: ☐ Tank ☒ Leach ☐ Lagoon		
6	Sewer service provider:		
7	Sewer line scoped? Date:		
8	If a septic system, date latest Individual Use Permit issued: 2020		
9	If a septic system, date of latest inspection: 2020		
10	If a septic system, date of latest pumping: 2020		
11	Gray water storage/use		
12			

	J. FLOODING AND DRAINAGE If you know of any problems EVER EXISTING with the following on the Property, check the "Yes" column:	Yes	Comments
1	Flooding or drainage		
2			
3			
	DRAINAGE AND RETENTION PONDS - Other Information Do you know of the following on the Property:	Yes	Comments
4	Drainage, retention ponds		
5			

K. OTHER DISCLOSURES - IMPROVEMENTS If you know of any problems NOW EXISTING with the following, check the "Yes" column:	Yes	Comments
1 Included fixtures and equipment		
2 Stains on carpet		
3 Floors		
4		
5		

II. GENERAL

L. USE, ZONING & LEGAL ISSUES If you know of any of the following EVER EXISTING , check the "Yes" column:	Yes	Comments
1 Zoning violation, variance, conditional use, violation of an enforceable PUD, or non-conforming use		
2 Notice or threat of condemnation proceedings		
3 Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved		
4 Notice of zoning action related to the Property		
5 Building code, city, or county violations		
6 Violation of restrictive covenants or owners' association rules or regulations		
7 Any building or improvements constructed within the past one year before this Date without approval by the owner's associations or the designated approving body		
8 Any additions or alterations made with a Building Permit		
9 Any additions or non-aesthetic alterations made without a Building Permit		
10 Other legal action		
11 Any part of the Property leased to others (written or oral)		
12 Used for short-term rentals in the past year		
13 Grandfathered conditions or uses		
14		
15		

M. ACCESS & PARKING If you know of any of the following EVER EXISTING check, the "Yes" column:	Yes	Comments
1 Any access problems, issues or concerns		
2 Roads, trails, paths, or driveways through the Property used by others		
3 Public highway or county road bordering the Property		
4 Any proposed or existing transportation project that affects or is expected to affect the Property		
5 Encroachments, boundary disputes or unrecorded easements		
6 Shared or common areas with adjoining properties		
7 Requirements for curb, gravel/paving, landscaping		
8 Any limitations on parking or access due to size, number of vehicles, or type of vehicles in the past year		
9		
10		

N. ENVIRONMENTAL CONDITIONS If you know of any of the following EVER EXISTING on any part of the Property, check the "Yes" column:	Yes	Comments
1 Hazardous materials on the Property, such as radioactive, toxic, or biohazardous materials, asbestos, pesticides, herbicides, wastewater sludge, methane, mill tailings, solvents, or petroleum products		

2	Underground storage tanks		
3	Aboveground storage tanks		
4	Underground transmission lines		
5	Property used as, situated on, or adjoining a dump, landfill or municipal solid waste landfill		
6	Monitoring wells or test equipment		
7	Sliding, settling, upheaval, movement or instability of earth, or expansive soils on the Property		
8	Mine shafts, tunnels, or abandoned wells on the Property		
9	Within a governmentally designated geological hazard or sensitive area		
10	Within a governmentally designated floodplain or wetland area		
11	Dead, diseased, or infested trees or shrubs		
12	Environmental assessments, studies, or reports done involving the physical condition of the Property		
13	Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		
14	Smoking inside improvements (including garages, unfinished space, or detached buildings) on Property		
15	Animals kept in the residence		
16	Other environmental problems, issues or concerns		
17	Odors		
18			
19			

O. RADON		
If you know of any of the following EVER EXISTING , check the "Yes" column:	Yes	Comments
1	Radon test(s) conducted on the Property. Include the most recent records and reports pertaining to radon concentrations within the Property.	
2	Radon concentrations detected or mitigation or remediation performed. Provide a full description.	
3	Radon mitigation system installed on Property. Provide all information known by Seller about the radon mitigation system.	
4		
5		

P. COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY		
If you know of any of the following NOW EXISTING , check the "Yes" column:	Yes	Comments
1	Property is part of an owners' association	☒
2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented	
3	Problems or defects in the Common Elements or Limited Common Elements of the Association Property	
COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY If you know of any of the following EVER EXISTED , check the "Yes" column:		
4	Has the Association made demand or commenced a lawsuit against a builder or contractor alleging defective construction of improvements of the Association Property (common area or property owned or controlled by the Association but outside the Seller's Property or unit)	
5		
6		
COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY - Other Information: Name of the Owner's Associations governing the Property:		Contact Information
7	Owner's Association #1: CME	
8	Owner's Association #2:	
9	Owner's Association #3:	
10	Owner's Association #4:	

Q.	GENERAL DISCLOSURES If you know of any of the following EVER EXISTING , check the "Yes" column:	Yes	Comments
1	Written reports of any building, site, roofing, soils, water, sewer, or engineering investigations or studies of the Property		
2	Any property insurance claim submitted (whether paid or not)		
3	Structural, architectural, and engineering plans and/or specifications for any existing improvements		
4	Property was previously used as a methamphetamine laboratory and not remediated to state standards		
5	Government special improvements approved, but not yet installed, that may become a lien against the Property		
6	Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property		
7	Property is subject to Deed Restrictions, other recorded document restrictions, or Affordable Housing Restrictions		
8	Property is located in a historic district		
9			
10			
	GENERAL - Other Information:		
11	Location of Mailbox and No. 13		
12			

Seller and Buyer understand that the real estate brokers do not warrant or guarantee the above information on the Property. Property inspection services may be purchased and are advisable. This SPD is **not** intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Seller acknowledges that Broker will disclose to any prospective buyer all adverse material facts actually known by Broker, including but not limited to adverse material facts pertaining to the physical condition of the Property, any material defects in the Property, and any environmental hazards affecting the Property. These types of disclosures may include such matters as structural defects, soil conditions, violations of health, zoning or building laws, and nonconforming uses and zoning variances.

In the event Seller discovers a new adverse material fact after completing this SPD, Seller must disclose any such new adverse material fact to Buyer.

The information contained in this SPD has been furnished by Seller, who certifies it was answered truthfully, based on **Seller's CURRENT ACTUAL KNOWLEDGE**.

Chris W Eaehart

Date: 9/13/2023

Seller: **Chris W Eaehart**

Julie A O'Shaughnessy

Date: 9/13/2023

Seller: **Julie A O'Shaughnessy**

ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to Seller's current actual knowledge, Buyer should thoroughly inspect the Property and obtain expert assistance to accurately and fully evaluate the Property to confirm the status of the following matters are satisfactory to Buyer:

- the physical condition of the Property;
- the presence of mold or other biological hazards;
- the presence of rodents, insects and vermin including termites;
- the legal use of the Property, including zoning and legal access to the Property;
- the availability and source of water, sewer, and utilities;
- the environmental and geological condition of the Property;
- the presence of noxious weeds; and
- any other matters that may affect Buyer's use and ownership of the Property that are important to Buyer as Buyer decides whether to purchase the Property.

2. Seller states that the information is correct to "Seller's current actual knowledge" as of the date of this form. The term "current actual knowledge" is intended to limit Seller's disclosure only to facts actually known by the Seller and does not include "constructive knowledge" or "common knowledge" or what Seller "should have known" about the Property. The Seller has no duty to investigate or inspect the Property or inclusions when this SPD is filled in and signed.

3. Valuable information may be obtained from various local/state/federal agencies, and other experts may assist Buyer by performing more specific evaluations and inspections of the Property.
4. Boundaries, location and ownership of fences, driveways, hedges, and similar features of the Property may become the subjects of a dispute between a property owner and a neighbor. A survey may be used to determine the likelihood of such problems.
5. Whether any item is included or excluded is determined by the Contract between Buyer and Seller and not this SPD.
6. Seller does not warrant that the Property or inclusions are fit for Buyer's intended purposes or use of the Property. Disclosure of the condition of an item is not to be construed as a warranty of its continued operability or as a representation or warranty that such item is fit for Buyer's intended purposes.
7. Buyer receipts for a copy of this SPD.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

SPD19-6-23. SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

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