

Residential Seller Advisory on

Disclosure in the sale of Arizona real estate

Arizona law requires the seller to disclose all known material (important) facts about the property to the buyer. This is required whether or not you are asked directly by the buyer or a real estate agent, or when asked to complete a disclosure form. There are also some very specific disclosures that are required, such as information on lead based paint in a home built prior to 1978 and if the property is located in the vicinity of a military or public airport. In addition, if your property is located in an unincorporated area of a county, you may be required to complete (and record in the property records) an Affidavit of Disclosure.

If a buyer asks you about a specific aspect of the property, you must disclose the information truthfully and accurately, whether or not you believe the information is material.

The following form will assist you in disclosing relevant information about your property. Keep in mind that should an item disclosed in the following form change you do have a legal duty to update the information to prevent this disclosure form from being misleading. The disclosure of defects in the property does not mean that the law requires that all defects must be corrected. Undisclosed defects, however, are the same as saying that the defect does not exist and may subject you to civil liability.

The following form is divided into sections to assist you in making the required disclosures. You should always attach any written verification of the facts you have provided, such as receipts and professional reports.

1. **Ownership and Property** – This section asks for general information such as location, ownership and occupancy of the property.
2. **Utilities** – This section asks questions regarding utilities available and names of the providers of the services. Any knowledge regarding water sources and any problems should be disclosed in this section.
3. **Building and Safety** – This section includes information regarding physical aspects of the property. Disclosure of information such as whether or not there are termites, scorpions and other “pests” might be answered ‘yes’ by many sellers but answering the question truthfully can protect you from a lawsuit alleging that these facts were not disclosed.
4. **Sewer/Waste Water Treatment** - This section requires information as to whether or not the entire property is connected to a sewer and whether or not these facts have been professionally verified. If the property is serviced by another wastewater treatment system, such as a septic or alternative system, additional information is required.
5. **Environmental** – This is the section where a variety of environmental information should be disclosed, including hazards, soil settlement/expansion, drainage/grade, or erosion as well as nuisances such as noise and odors. Information on mold and any conditions that would indicate potential mold growth is also requested.
6. **Other** – This area provides extra space to explain any other factors or conditions that may affect the value of the property or the buyer’s decision making process in evaluating the property.

NOTE: Arizona law does **not** obligate a seller to disclose that the property is or has been the site of a death, owned or occupied by a person exposed to HIV or diagnosed with AIDS or any other disease not known to be transmitted through common occupancy of real estate or the existence of convicted sex offenders in the vicinity of the property. However, the law does not allow the seller to make an intentional misrepresentation; if asked for this type of information; seller should either answer truthfully or simply indicate that they are not required by law to disclose that information.

ARIZONA RESIDENTIAL SELLER'S PROPERTY DISCLOSURE STATEMENT

PROPERTY ADDRESS: 3315 W Gleason Rd Elinda AZ 85610
(Street Address) (City) (State) (ZIP)

Seller instructions: Complete the form yourself; attach any supporting documentation; answer all questions fully and truthfully; use the "Other" section to disclose information not addressed elsewhere in the form. *Your signature on the completed form indicates that you understand that failure to disclose known information may result in civil liability.*

Buyer instructions: While seller is obligated to disclose all material known facts about this property, it is likely that there may be facts that are not known to the seller. For this reason, it is your responsibility to review this form and attachments carefully, verify any and all important information, ask about any incomplete or inadequate responses, inquire about any concerns not listed in the disclosures, seek information from any home owner's association documents, title commitments, title reports, investigate the vicinity of the property and obtain professional inspections of the Property.

THE FOLLOWING ARE DISCLOSURES AND REPRESENTATIONS OF THE SELLER AND HAVE NOT BEEN VERIFIED BY THE BROKER OR AGENT.

OWNERSHIP AND PROPERTY:

1. "Property" shall mean the real property and all fixtures, improvements and appurtenances thereto.
2. Does the Property include any leased land? YES NO
3. Is the Property located in an unincorporated area of the county? YES NO
IF ITEM 3 IS "YES" THE SELLER MAY BE REQUIRED TO PROVIDE BUYER WITH AN AFFIDAVIT OF DISCLOSURE FOR THE TRANSFER OF FIVE OR FEWER PARCELS OF LAND OTHER THAN SUBDIVIDED LAND
4. LEGAL OWNER(S) OF THE PROPERTY: Double V Livestock Date Purchased: 5/1/15
5. Is the legal owner(s) of the Property a foreign person or non-resident alien pursuant to the Foreign Investment in Real Property Act? [If 'YES' consult a tax advisor; mandatory withholding may apply.] YES NO
6. Is the property located in a community defined by the fair housing laws as housing for older persons? YES NO
7. Approximate year built: _____ If prior to 1978, Seller must furnish Buyer with lead-based paint disclosure
8. The Property is currently: (circle one) Owner-occupied Leased Estate Foreclosure Vacant _____ years
If leased, attach copy of lease – lease expiration date: _____
9. List any prepaid rents or refundable deposit amounts and who is holding these amounts:
\$ _____ \$ _____ Held by: _____
10. Have you entered into any agreement to transfer your interest in the Property in any way, including rental renewals or options to purchase? YES NO
Explain: _____
11. Are there any associations governing this Property, such as an HOA? YES NO
Name: _____ Contact Phone: _____
12. Are there any association fees that the property owner must pay: YES NO
\$ _____ fees due every (month) (year) (other _____)
13. Are you aware of any transfer fees that will be due upon transfer of the property as charged by any governing association? YES NO
Explain: _____
14. Are you aware of any proposed or existing assessments or special assessments by the association? YES NO

Buyer: _____ Seller: CW

Explain: _____

15. Are you aware of any disputes, pending or filed litigation related to the Property or the association? YES NO

16. Are you aware of any of the following recorded against the Property? (Circle all that apply) YES NO

Judgment liens Tax liens Other non-consensual liens

17. Are you aware of any assessments affecting this Property? (Circle all that apply) YES NO

Paving Sewer Water Electric Other: _____

18. Are you aware of any title issues affecting the Property? (Circle all that apply) YES NO

Recorded Easements Use restrictions Lot line disputes Encroachments Unrecorded easements
Use permits Other: _____

19. Are you aware of any public or private use paths or roadways on or across this Property? YES NO

Explain: _____

20. Are you aware of any problems with legal or physical access to the Property? YES NO

Explain: _____

21. The road / street access to the property is maintained by: County City State HOA Privately

If privately maintained is there a recorded road maintenance agreement?

Explain: _____

22. Are you aware of any violation(s) of the following: (Circle all that apply) YES NO

Zoning Building Codes Utility Services Sanitary health regulation Covenants, Conditions, Restriction
Other: _____

Attach a copy of any violation notices, if available.

23. Are you aware of any homeowner's insurance claims that have been filed against the property? YES NO

Explain: _____

24. **NOTICE TO BUYER: Your credit history, claim history, and the Property's claims history may affect the insurability of the Property. Contact your insurance company.**

UTILITIES

25. Does this Property currently receive the following services? If so, list the name of the utility provider

26. Electricity? YES NO
Provider: Sulphur Springs Valley Electrical coop

27. Fuel: Natural Gas Propane Oil (circle all that apply)
Provider: Southwest Gas

28. Cable or other television services:
Provider: _____

29. Telephone:
Provider: _____

30. Garbage collection:
Provider: _____

31. Fire protection:
Provider: Elfrida Fire District

32. Irrigation:
Provider: _____

33. Water Source- (Circle all that apply) Public Private Hauled Water Provider: _____ YES NO
34. Water Source: (Circle all that apply) Private Well Shared Well YES NO
If YES, attached a Domestic Water Well Water Use Addendum.
35. NOTE TO BUYER: YOU SHOULD CHECK TO SEE IF THE ARIZONA DEPARTMENT OF WATER RESOURCES HAS MADE A WATER SUPPLY DETERMINATION FOR THE SOURCE OF WATER TO THE PROPERTY. FOR MORE INFORMATION, CONTACT THE WATER PROVIDER.
37. Are you aware of any past or present drinking water problems? YES NO
Explain: _____
38. Are there any alternate power systems serving the Property? (Circle all that apply) YES NO
Solar Wind Generator Other: _____
Explain any past or present problems with any alternate power systems: _____

BUILDING STRUCTURAL AND SAFETY INFORMATION

39. Are you aware of any past or present roof leaks? YES NO
Explain: _____
40. Are you aware of any past or present roof problems? YES NO
Explain: _____
41. Are you aware of any roof repairs? YES NO
Explain: _____
42. Is there a roof warranty? [If YES, attach a copy] YES NO
Cost to transfer, if applicable: \$ _____
43. NOTE TO BUYER: CONTACT A PROFESSIONAL TO VERIFY THE CONDITION OF THE ROOF
44. Are you aware of any interior wall/ceiling/door/window/floor problems? YES NO
Explain: _____
45. Are you aware of any cracks or settling involving the foundation, exterior walls or slab? YES NO
Explain: _____
46. Are you aware of any chimney or fireplace problems, if applicable? YES NO
Explain: _____
47. Are you aware of any damage to any structure on the Property by any of the following: (Circle all that apply): YES NO
Flood Fire Wind Expansive soil Water Hail Other
Explain: _____
48. Are you aware of any of the following:
49. Past presence of termites or other wood destroying organisms on the Property? YES NO
50. Current presence of termites or other wood destroying organisms on the Property? YES NO
51. Past or present damage to the Property by termites or other wood destroying organisms? YES NO
52. Explain any "YES" answer for items 46-48: _____
53. Are you aware of any past or present treatment of the Property for termites or other wood destroying YES NO

organisms?

If "YES" date of treatment and name of provider: _____

Please attach any warranty related to the treatment.

54. NOTICE TO BUYER: CONTACT STATE OF ARIZONA STRUCTURAL PEST CONTROL COMMISSION FOR PAST TERMITE REPORTS OR TREATMENT HISTORY OF THE PROPERTY.
55. Type of Heating: Central Air YES NO
Are you aware of any problems with the heating system(s)?
Explain: _____
56. Type of Cooling: Central Air YES NO
Are you aware of any problems with the cooling system(s)?
Explain: _____
57. Are you aware of the type of water pipes on the property, such as galvanized, PVC, cooper, etc.?
If "YES", please describe: PVC, Galvanized YES NO
58. Are you aware of any past or present plumbing problems?
If "YES", please describe: _____ YES NO
59. Are you aware of any water pressure problems?
If "YES", please describe: _____ YES NO
60. Are you aware of any water heater problems?
Type of water heater (Circle one) Gas Electric Solar Approximate age: _____ YES NO
61. Is there a landscape watering system? Automatic timer or manual? _____ YES NO
If "YES" list any problems you are aware of with the landscape watering system:

62. Are there any other water treatment systems on the property? (Circle all that apply)
Water filtration Reverse Osmosis Water Softener Other _____ YES NO
If leased, attach a copy of any lease and enter provider name here: _____
63. Are you aware of any problems with any of the water treatment systems on the property?
If "YES" explain: _____ YES NO
64. Does the property contain any of the following: (Circle all that apply and note if heated and heat source)
Swimming pool Hot tub Sauna Spa Water feature
Heating: _____ YES NO
65. Are you aware of any past or present problems with the pool, hot tub, sauna, spa or water feature?
If "YES" explain: _____ YES NO
66. Are you aware of any past or present problems with any of the electrical systems on the Property?
If "YES" explain: _____ YES NO
67. Is there a security system on the Property?
If "YES" (Circle all that apply) Owned Monitored Leased Other _____ Provider(s) _____
If "Leased" or "Monitored" attach a copy of the appropriate lease or agreement. YES NO
68. Does the Property have any of the following systems or detectors (Circle all that apply):
Smoke/fire detection Fire suppression/sprinklers Carbon monoxide detector
If "YES" are you aware of any past or present problems? Explain: None YES No

69. Are you aware of any of the following on the Property? (Circle all that apply): YES NO
 Rodents Scorpions Bee swarms Rabid animals Reptiles Other: Snake
 Explain and indicate how often the Property is serviced or treated for pests, reptiles, insects or animals:
NA
70. Are you aware of any rooms added to the Property or converted to bedrooms? If "YES" YES NO
 Indicate whether or not permits were obtained and from whom- _____
71. Was the work in item 70 above done by licensed professionals? YES NO
 Explain: _____
72. Was approval required from any association for the work in item 70 above? YES NO
 If "YES," were approvals granted and work completed as approved? Explain: _____
73. Are there any security bars or other obstructions to door or window openings on the Property? YES NO
 Explain: _____
74. Are you aware of any past or present problems with any built-in appliances on the property? YES NO
 Explain: _____
75. Are there any leased propane tanks, equipment or other systems on the property? YES NO
 Explain _____

SEWER/WASTEWATER TREATMENT

76. Is the entire property connected to a sewer?: YES NO
 Explain: _____
 If "YES" what type of sewer: (Circle one) Public Private Planned and approved, but not connected
77. Has a sewer verification test ever been done for this property? YES NO
 If "YES" name of Provider: _____
 Attach a copy of any report.
78. Are you aware of any past or present problems with the sewer? YES NO
 Explain: _____
79. Is the Property served by any On-Site Wastewater Treatment Facility? YES NO
 If "YES"- TYPE: Conventional septic system Alternative- TYPE? _____
 If "YES" list the provider of any current maintenance contract: _____
 Approximate date of installation (attach copy of permit if available) _____
 Date of last inspection/service/ or pumping of septic _____ Are you aware of any problems with the septic system? YES NO Explain _____

80. NOTICE TO SELLER AND BUYER: The Arizona Department of Environmental Quality requires a pre-transfer
 Buyer: _____ Seller: CW

inspection of on-site wastewater treatment facilities on re-sale properties.

ENVIRONMENTAL INFORMATION

81. Are you aware of any past or present issues or problems with any of the following on the Property? YES NO
(Circle all that apply)
Soil settlement /expansion Drainage/grade Erosion Fissures Dampness/Moisture Other: _____
Explain: _____
82. Are you aware of any past or present issues or problems in close proximity to the Property related to any of the following? YES NO
(Circle all that apply)
Soil settlement /expansion Drainage/grade Erosion Fissures Other: _____
Explain: _____
83. NOTICE TO BUYER: THE Arizona Department of Real estate provides earth fissure maps to any member of the public in printed or electronic format upon request and on its website at www.azre.gov.
84. Are you aware if the Property is subject to any present or proposed effects of any of the following? (Circle all the apply): YES NO
Airport Noise Traffic noise Rail line noise Neighborhood noise Landfill Odors
Toxic waste disposal Nuisances Sand/gravel operations Other: _____
Explain: _____
85. Are you aware if any portion of the Property has even been used as a "Clandestine drug laboratory" (manufacture of, or storage of, chemicals or equipment used in the manufacture of methamphetamine, ecstasy or LSD)? YES NO
Explain: _____
86. Are you aware if the Property is located in the vicinity of an airport – military, public or private? YES NO
Explain: _____
87. NOTICE TO SELLER AND BUYER: PURSUANT TO ARIZONA LAW A SELLER MUST PROVIDE A WRITTEN DISCLOSURE to the buyer if the property is located in the vicinity of a military airport or ancillary military facility as delineated on a map prepared by the State Land Department. The Department of Real Estate is obligated to record a document at the county recorder's office disclosing if the property is under restricted air space. The Department of Real Estate maintains the State Land Department Military Airport Map on its website at www.azre.gov.
88. Are you aware of the presence of any of the following on the Property, past or present? (Circle all that apply) YES NO
Asbestos Radon gas Lead-based paint Pesticides Underground storage tanks
Fuel/chemical storage
Explain: _____
89. Are you aware if the Property is located within any of the following? (Circle all that apply) YES NO
Superfund/WQARF/CERCLA area Wetlands Area
90. Are you aware of any open mine shafts/tunnels or abandoned wells on the Property? YES NO
If "YES" describe the location: _____
91. Are you aware if any portion of the Property is located in a flood plain/way? If "YES", Explain: YES NO

92. Are you aware of any portion of the Property ever having been flooded? If "YES", Explain: YES NO

93. Are you aware of any water damage or water leaks of any kind on the Property? If "YES", Explain: YES NO
