

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission.
(SPD19-6-17) (Mandatory 1-18)

THIS FORM HAS IMPORTANT LEGAL CONSEQUENCES AND THE PARTIES SHOULD CONSULT LEGAL AND TAX OR OTHER COUNSEL BEFORE SIGNING.

SELLER'S PROPERTY DISCLOSURE
(RESIDENTIAL)

THIS DISCLOSURE SHOULD BE COMPLETED BY SELLER, NOT BY BROKER.

Seller states that the information contained in this Disclosure 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 material defect may result in legal liability. 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 Disclosure or not. If the Property is part of a Common Interest Community, this Disclosure is limited to the Property or unit itself, except as stated in Section O. Broker may deliver a copy of this Disclosure to prospective buyers.

Note: The Contract to Buy and Sell Real Estate, not this Disclosure, determines whether an item is included or excluded;

if there is an inconsistency between this Disclosure and the Contract, the Contract controls.

Date: **1/23/2018**

Property Address: **1429 S Larkspur Court, Lafayette, CO 80026**

Seller: **Darin W. Toohey and Barbara J. Brandt**

Year Built: **1997**

I. IMPROVEMENTS

A.	STRUCTURAL CONDITIONS	Yes	Comments
	If you know of any of the following problems EVER EXISTING check the "Yes" column:		
1	Structural problems		
2	Moisture and/or water problems		
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 problems		
6	Exterior wall or window problems		
7	Exterior Artificial Stucco (EIFS)		
8			
9			

B.	ROOF	Yes	Comments
	If you know of any of the following problems EVER EXISTING check the "Yes" column:		
1	Roof leak		
2	Damage to roof		
3	Skylight problems		
4	Gutter or downspout problems		
5	Other roof problems		
6			
7			

B-1.	ROOF - Other Information:	Yes	Comments
	Do you know of the following on the Property:		
1	Roof under warranty until Transferable		
2	Roof work done while under current roof warranty		

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3	Roof material Composite shingle Age :20		
4			
5		<input type="checkbox"/>	

C. APPLIANCES				
If you know of any problems NOW EXISTING with the following check the "Yes" column:		Yes	Age If Known	Comments
1	Built-in vacuum system & accessories			
2	Clothes dryer		20	
3	Clothes washer		20	
4	Dishwasher		20	
5	Disposal		1	
6	Freezer			
7	Gas grill			
8	Hood			
9	Microwave oven		20	
10	Oven		1	
11	Range		1	
12	Refrigerator		9	
13	T.V. antenna: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
14	Satellite system or DSS dish: <input type="checkbox"/> Owned <input type="checkbox"/> Leased			
15	Trash compactor			
16				
17	:			

D. ELECTRICAL & TELECOMMUNICATIONS				
If you know of any problems NOW EXISTING with the following check the "Yes" column:		Yes	Age If Known	Comments
1	Security system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased		20	windows and doors prewired for security system
2	Smoke/fire detectors: <input type="checkbox"/> Battery <input checked="" type="checkbox"/> Hardwire		20	
3	Carbon Monoxide Alarm: <input type="checkbox"/> Battery <input checked="" type="checkbox"/> Hardwire		7	
4	Light fixtures		20	
5	Switches & outlets		20	
6	Electrical Service			
7	Telecommunications (T1, fiber, cable, satellite)		20	cable
8	Inside telephone wiring & blocks/jacks		20	
9	Ceiling fans		15	main bedroom and family room
10	Garage door opener and remote control		5	
11	Intercom/doorbell		20	doorbell
12	In-wall speakers		20	prewire for speakers only, living room
13		<input type="checkbox"/>		
14				

D-1. ELECTRICAL & TELECOMMUNICATIONS - Other Information:				
Do you know of the following on the Property:		Yes	Age If Known	Comments
1	220 volt service	<input checked="" type="checkbox"/>	20	basement prewire for 220 V (e.g., electric dryer)
2	Landscape lighting			
3	Aluminum wiring at the outlets (110)			
4	Electrical Service: Amps 30	<input checked="" type="checkbox"/>	20	
5	Garage door control(s) # 2	<input checked="" type="checkbox"/>	5	One fixed by garage entry and battery operated remote mounted outside garage door
6	6 kW solar photovoltaic grid-tie system		9	Mounted on deck pergola
7	inverter in basement.			

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)		20	
2	Entry gate system			
3	Elevator			
4				

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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		20	
2	Air conditioning: Evaporative cooler Window units Central			
3	Attic/whole house fan			
4	Vent fans			
5	Humidifier			
6	Air purifier			
7	Fireplace		20	
8	Fireplace insert		20	
9	Heating Stove			
10	Fuel tanks			
11	high energy efficient windows		7	Amerimax Conservation 5 Series, Low-E glass, krypton, argon gas fill. Lifetime warranty
12				

F.-1	VENTILATION, AIR, HEAT - Other Information: Do you know of the following on the Property:	Comments
1	Heating system (including furnace): Type forced air Fuel natural gas Type Fuel	
2	Fireplace: Type gas Fuel natural gas	
3	Fireplace insert	
4	Heating Stove: Type Fuel	
5	When was fireplace/wood stove, chimney/flue last cleaned: Date: <input type="checkbox"/> Do not know	
6	Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased	
7	Radiant heating system: <input type="checkbox"/> Interior <input type="checkbox"/> Exterior Type	
8		
9		

G.	WATER If you know of any problems NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1	Water system (including lines and water pressure)		
2	Water heater(s)		
3	Water filter system		
4	Water softener		
5	Well		
6	Water System Pump		
7	Sauna		
8	Hot tub or spa		
9	Steam room/shower		
10	Pool		
11	Underground sprinkler system		
12	Fire sprinkler system		
13	Backflow prevention device		
14	Irrigation system		
15	Irrigation pump		
16			
17			

G-1.	WATER - Other Information: Do you know of the following on the Property:	Yes	Age If Known	Comments
1	Water heater: Number of 1 Fuel type gas Capacity		20	

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2	Water filter system: Owned Leased			
3	Water softener: Owned Leased			
4	Well Metered			
5	Well - Date of last inspection			
6	Galvanized pipe			
7	Polybutylene pipe			
8				
9				

H.	SOURCE OF WATER & WATER SUPPLY: Do you know of the following on the Property:
1	Type of water supply: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Well <input type="checkbox"/> Shared Well <input type="checkbox"/> Cistern <input type="checkbox"/> None If the Property is served by a Well, a copy of the Well Permit <input type="checkbox"/> Is <input type="checkbox"/> Is Not attached. Well Permit #: _____ Drilling Records <input type="checkbox"/> Are <input type="checkbox"/> Are Not attached. Shared Well Agreement <input type="checkbox"/> Yes <input type="checkbox"/> No. The Water Provider for the Property can be contacted at: Name: <u>City of Lafayette</u> Address: _____ Web Site: _____ Phone No.: _____ <input type="checkbox"/> 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 NOW EXISTING with the following check the "Yes" column:	Yes	Comments
1	Sewage system (including sewer lines)		
2	Lift station (sewage ejector pump)		
3	Sump pump(s) # of		
4	Gray water storage/use		
5			

I-1.	SEWER - Other Information: Do you know of the following on the Property:
1	Type of sanitary sewer service: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Community <input type="checkbox"/> Septic System <input type="checkbox"/> None <input type="checkbox"/> Other If the Property is served by an on-site septic system, provide buyer with a copy of the permit. Type of septic system: <input type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon
2	If a septic system, date latest Individual Use Permit issued: _____
3	If a septic system, date of latest inspection: _____
4	If a septic system, date of latest pumping: _____
5	
6	

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			

J-1	DRAINAGE AND RETENTION PONDS - Other Information: Do you know of the following on the Property:	Yes	Comments
1	Drainage, retention ponds		
2			

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

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5			

II. GENERAL

L.	USE, ZONING & LEGAL ISSUES If you know of any problems 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 from this Date without approval by the owner's association or the designated approving body		
8	Any additions or alterations made		
9	Other legal action		
10			
11			

M.	ACCESS & PARKING If you know of any problems EVER EXISTING check the "Yes" column:	Yes	Comments
1	Any access problems		
2	Roads, driveways, trails or paths 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			
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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, radon, methane, mill tailings, solvents or petroleum products		
2	Underground storage tanks		
3	Aboveground storage tanks		
4	Underground transmission lines		
5	Animals kept in the residence	<input checked="" type="checkbox"/>	dog more than 12 years ago, cat more than 7 years ago
6	Property used as, situated on, or adjoining a dump, land fill or municipal solid waste land fill		
7	Monitoring wells or test equipment		
8	Sliding, settling, upheaval, movement or instability of earth or expansive soils on the Property		
9	Mine shafts, tunnels or abandoned wells on the Property		
10	Within governmentally designated geological hazard or sensitive area		
11	Within governmentally designated flood plain or wetland area		
12	Dead, diseased or infested trees or shrubs	<input checked="" type="checkbox"/>	dead blue spruce tree (removed January 2018)
13	Environmental assessments, studies or reports done involving the physical condition of the Property		

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14	Used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells		
15	Tobacco smoke in interior of improvements of Property		
16	Other environmental problems		
17			
18			

O. 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	<input checked="" type="checkbox"/>	
2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented		
3	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)		
4	Problems or defects in the Common Elements or Limited Common Elements of the Association Property		
5			
6			

P. OTHER DISCLOSURES - GENERAL If you know of any of the following NOW EXISTING check the "Yes" column:		Yes	Comments
1	Any part of the Property leased to others (written or oral)		
2	Written reports of any building, site, roofing, soils or engineering investigations or studies of the Property		
3	Any property insurance claim submitted (whether paid or not)		
4	Structural, architectural and engineering plans and/or specifications for any existing improvements	<input checked="" type="checkbox"/>	landscaping, deck, and solar PV system
5	Property was previously used as a methamphetamine laboratory and not remediated to state standards		
6	Government special improvements approved, but not yet installed, that may become a lien against the Property		
7	Pending: (1) litigation or (2) other dispute resolution proceeding regarding the Property		
8			
9			

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 Disclosure 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.

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

Darin W. Toohey

Date: 3/6/2018

Seller: *Darin W. Toohey*

Seller(s) Initials: *DWT BJB*

Barbara J. Brandt

Date: 3/6/2018

Seller: **Barbara J. Brandt**

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:
 - a. the physical condition of the Property;
 - b. the presence of mold or other biological hazards;
 - c. the presence of rodents, insects and vermin including termites;
 - d. the legal use of the Property and legal access to the Property;
 - e. the availability and source of water, sewer, and utilities;
 - f. the environmental and geological condition of the Property;
 - g. the presence of noxious weeds; and
 - h. 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 inspect the Property when this Disclosure 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 Seller's Property Disclosure.

6. Seller does not warrant that the Property is 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 Disclosure.

Buyer: _____ Date: _____

Buyer: _____ Date: _____

SPD19-6-17. SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL)

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