

**SELLER'S PROPERTY DISCLOSURE STATEMENT
(NEW CONSTRUCTION)
EXHIBIT " _____ "**



2018 Printing

This Seller's Property Disclosure Statement ("Statement") is an exhibit to the New Construction Purchase and Sale Agreement with an Offer Date of _____ for Property known as or located at:

Lot 3 Stanley Ridge Road, Morganton Georgia 30560

This Statement contains Seller's disclosures to Buyer regarding the present condition of the Property, certain past repairs and the history of the Property.

A. INSTRUCTIONS TO SELLER IN COMPLETING THIS DISCLOSURE STATEMENT. In completing this Disclosure Statement, Seller agrees to:

- (1) answer all questions in reference to the Property (which, unless otherwise noted, shall include the improvements thereon);
- (2) leave no question unanswered;
- (3) answer all questions fully and accurately based upon the best knowledge and belief of all Sellers in the New Construction Purchase and Sale Agreement;
- (4) fully explain in the Additional Explanations paragraph any questions to which the answer is "yes" or "don't know" referencing the number of the question for which the additional explanation is being given; and
- (5) promptly revise the Statement and provide a copy of the same to the Buyer and any Broker involved in the transaction if prior to closing there are any material changes in the answers to any of the questions.

B. HOW THIS STATEMENT SHOULD BE USED BY BUYER. The answers of Seller below should not be a substitute for Buyer conducting a careful, independent evaluation of the Property. Caveat emptor or buyer beware is the law in Georgia. Buyer is expected to use reasonable care to identify defects in the Property and satisfy herself or himself that the Property is suitable for Buyer's needs and purposes. If an independent evaluation of the Property reveals potential problems or areas of concern that would cause a reasonable buyer to investigate further, Buyer may not have legal recourse if Buyer fails to investigate further.

C. DISCLOSURES.

	Yes	No	Don't Know
1. Date of initial building permit <u>Jan. 2018</u>			
Date of Certificate of Occupancy _____			

2. COVENANTS, FEES AND ASSESSMENTS:

- | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|--------------------------|
| (a) Is the Property subject to a recorded Declaration of Covenants, Conditions and Restrictions ("CC&Rs") or other similar restrictions? | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| (b) Is the Property part of a condominium or community in which there is a homeowners' association?
[IF YES, SELLER IS INSTRUCTED TO ADDITIONALLY FILL OUT AND PROVIDE TO BUYER A COMMUNITY ASSOCIATION FEES, DISCLOSURE AND RELATED ISSUES EXHIBIT, GAR FORM 55]. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

3. STRUCTURAL ITEMS:

- | | | | |
|--------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|--------------------------|
| (a) Has there been any settling, movement, cracking or breakage of the foundations or structural supports of the improvements? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (b) Has there been any cracking, settlement or visible movement of retaining walls? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (c) Has any work been done where a required building permit was not obtained? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| (d) Is Seller aware of violations of building codes or zoning regulations or received notice of the same? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

4. SYSTEMS AND COMPONENTS:

- | | | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| (a) What is/are the heating system(s) serving the Property?
<input checked="" type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> <u>gas logs / Heat Pump</u> | | | |
| (b) What is/are the air conditioning systems(s) (A/C) serving the Property?
<input checked="" type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> _____ | | | |
| (c) What is/are the water heater(s) serving the Property? <input checked="" type="checkbox"/> Electric <input type="checkbox"/> Gas <input type="checkbox"/> Solar | | | |
| (d) Are any fireplaces not vented? | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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5. PLUMBING RELATED ITEMS:

- (a) What is, or will be, the drinking water source: public private well *(community well)*
- (b) If the drinking water is, or will be, from a well, has the water been tested within the past twelve (12) months? Yes No Don't Know
- (c) What is, or will be, the sewage system: public private septic tank
- (d) Is, or will the main dwelling served by sewage pump?
- (e) Is there presently, or will there be, any polybutylene plumbing, other than the primary service line?

Yes	No	Don't Know
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

6. SOIL, TREES, SHRUBS AND BOUNDARIES:

- (a) Is there or will there be any construction or other debris buried on Property?
- (b) Are there any springs, mine shafts, graves, trash dumps or wells (in use or abandoned) on Property?
- (c) Are there any diseased or dead trees?
- (d) Are there any encroachments, boundary line disputes, leases or unrecorded easements?
- (e) Is any part of the Property or any improvements thereon presently located in a 100 year Special Flood Hazard Area where there is at least a 1% chance of a flood in any given year?
- (f) Are there any present drainage or flooding problems?
- (g) Has there ever been any water leakage, accumulation, or dampness within the improvements on Property after its completion?

Yes	No	Don't Know
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

7. TERMITE TREATMENT:

- (a) Is there or will there be a system (meeting the standards of the Georgia Department of Agriculture) to control termites and other wood destroying organisms serving the Property? *Terminex*
- If yes, check type: Soil Treatment Baiting System Other: _____
- (b) Is there, or will there be, a transferable termite bond on the Property?
- If yes, check type of coverage: re-treatment and repair or re-treatment only

Yes	No	Don't Know
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

8. TOXIC SUBSTANCES:

- (a) Are there any underground tanks, toxic or hazardous substances on Property (structure or soil) such as asbestos, urea-formaldehyde, methane gas, radioactive material, radon, mold benzene or other substances or environmental contaminants?
- (b) Has Property been tested for radon, mold or any other toxic substances?

Yes	No	Don't Know
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

9. OTHER MATTERS:

- (a) Do you know of any outstanding notices of violations of local, state, or federal laws, codes or regulations with respect to Property?
- (b) Is Property currently or has it been the subject of litigation including, but not limited to defective building products, construction defects, termites, and/or title problems?
- (c) Have you signed any release that would limit a future owner from making any claims in connection with Property?
- (d) Are there any other adverse, material facts pertaining to the physical condition of the Property that have not otherwise been disclosed?

Yes	No	Don't Know
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

10. AGRICULTURAL DISCLOSURE:

Is Property within, partially within, or adjacent to any property zoned or identified on an approved county land use plan as agricultural or forestry use?

Yes	No	Don't Know
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

It is the policy of this state and this community to conserve, protect, and encourage the development and improvement of farm and forest land for the production of food, fiber, and other products, and also for its natural and environmental value. This notice is to inform prospective property owners or other persons or entities leasing or acquiring an interest in real property that property in which they are about to acquire an interest lies within, partially within, or adjacent to an area zoned, used, or identified for farm and forest activities and that farm and forest activities occur in the area. Such farm and forest activities may include intensive operations that cause discomfort and inconveniences that involve, but are not limited to, noises, odors, fumes, dust, smoke, insects, operations of machinery during any 24 hour period, storage and disposal of manure, and the application by spraying or otherwise of chemical fertilizers, soil amendments, herbicides, and pesticides. One or more of these inconveniences may occur as the result of farm or forest activities which are in conformance with existing laws and regulations and accepted customs and standards.


11. ADDITIONAL EXPLANATIONS FOR ALL QUESTIONS ANSWERED "YES" OR "OTHER": *[Explanations should reference the number of the question for which more detailed information is being provided.]*

[Empty box for additional explanations]

Additional pages are or are not attached.

SELLER'S REPRESENTATION REGARDING SELLER'S NEW CONSTRUCTION PROPERTY DISCLOSURE STATEMENT:

Seller represents that Seller has followed the Instructions to Seller in Completing This Disclosure Statement set forth in Paragraph A above and will follow the same in updating this Disclosure Statement as needed from time to time.

Seller: 

Date: 4/2/18

Seller: _____

Date: _____

Additional Signature Page (F149) is is not attached.

RECEIPT AND ACKNOWLEDGMENT BY BUYER:

Buyer acknowledges the receipt of this Seller's New Construction Property Disclosure Statement.

Buyer: _____

Date: _____

Buyer: _____

Date: _____

Additional Signature Page (F149) is is not attached.