



RESIDENTIAL SELLER'S PROPERTY DISCLOSURE STATEMENT (SPDS) (TO BE COMPLETED BY SELLER)



REALTOR® The printed portion of this FORM has been approved by the Arizona Association of Realtors®. This is NOT intended to be a binding contract.

SELLER:

Sellers are obligated by law to disclose all known material (important) facts about the Property to the Buyer. The SPDS is designed to assist you in making these disclosures. If you know something important about the Property that is not addressed on the SPDS, add that information to the form. Prospective Buyers may rely on the information you provide.

INSTRUCTIONS: (1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a question, use the explanation lines to explain. By signing below you acknowledge that the failure to disclose known material information about the Property may result in liability.

MESSAGE TO THE BUYER:

Although Sellers are obligated to disclose all known material (important) facts about the Property, there are likely facts about the Property that the Sellers do not know. Therefore, it is important that you take an active role in obtaining information about the Property.

INSTRUCTIONS: (1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the SPDS. (5) Review all other applicable documents, such as CC&R's, association bylaws, rules, and the title report or commitment. (6) Obtain professional inspections of the Property. (7) Investigate the surrounding area.

THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT VERIFIED BY THE BROKER(S) OR AGENT(S).

OWNERSHIP AND PROPERTY

- 1. As used herein, "Property" shall mean the real property and all fixtures and improvements thereon and appurtenances incidental thereto, plus fixtures and personal property described in the Contract.
- 3. **PROPERTY ADDRESS:** 3739 E KNOLL ST (STREET ADDRESS) MESA (CITY) AZ (STATE) 85205 (ZIP)
- 4. Is the Property located in an unincorporated area of the county? Yes No If yes, and five or fewer parcels of land other than subdivided
- 5. land are being transferred, the Seller must furnish the Buyer with a written Affidavit of Disclosure in the form required by law.
- 6. **LEGAL OWNER(S) OF PROPERTY:** SYMEN & JENNIFER VANDERLINDEN Date Purchased: 12/04
- 7. Is the legal owner(s) of the Property a foreign person or a non-resident alien pursuant to the Foreign Investment in Real Property
- 8. Tax Act (FIRPTA)? Yes No If yes, consult a tax advisor; mandatory withholding may apply.
- 9. Is the property located in a community defined by the fair housing laws as housing for older persons? Yes No
- 10. Explain: _____
- 11. Approximate year built: 2006. If Property was built prior to 1978, Seller must furnish the Buyer with a lead-based paint disclosure form.
- 12. **NOTICE TO BUYER: IF THE PROPERTY IS IN A SUBDIVISION, A PUBLIC REPORT, WHICH CONTAINS A VARIETY OF**
- 13. **INFORMATION ABOUT THE SUBDIVISION AT THE TIME THE SUBDIVISION WAS APPROVED, MAY BE AVAILABLE BY**
- 14. **CONTACTING THE ARIZONA DEPARTMENT OF REAL ESTATE OR THE HOMEBUILDER. THE PUBLIC REPORT**
- 15. **INFORMATION MAY BE OUTDATED.**
- 16. The Property is currently: Owner-occupied Leased Estate Foreclosure Vacant If vacant, how long? _____
- 17. If a rental property, how long? _____ Expiration date of current lease: _____ (Attach a copy of the lease if available.)
- 18. If any refundable deposits or prepaid rents are being held, by whom and how much? Explain: _____
- 19. _____

YES NO

- 20. YES NO Have you entered into any agreement to transfer your interest in the Property in any way, including rental renewals
- 21. or options to purchase? Explain: _____
- 22. YES NO Are you aware if there are any association(s) governing this Property?
- 23. If yes, provide contact(s) information: Name: VILLA TUSCANO HOA Phone #: _____
- 24. If yes, are there any fees? How much? \$ 315 How often? MONTHLY
- 25. YES NO Are you aware of any proposed or existing association assessment(s)? Explain: _____
- 26. _____

Initials: _____ BUYER BUYER

27. YES NO Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)?
 28. Explain: _____
 29. YES NO Are you aware of any of the following recorded against the Property? (Check all that apply):
 30. Judgment liens Tax liens Other non-consensual liens
 31. Explain: _____
 32. YES NO Are you aware of any assessments affecting this Property? (Check all that apply):
 33. Paving Sewer Water Electric Other _____
 34. Explain: _____
 35. YES NO Are you aware of any title issues affecting this Property? (Check all that apply):
 36. Recorded easements Use restrictions Lot line disputes Encroachments
 37. Unrecorded easements Use permits Other _____
 38. Explain: _____
 39. YES NO Are you aware of any public or private use paths or roadways on or across this Property?
 40. Explain: _____
 41. YES NO Are you aware of any problems with legal or physical access to the Property? Explain: _____
 42. The road/street access to the Property is maintained by the County City Homeowners' Association Privately
 43. If privately maintained, is there a recorded road maintenance agreement? Explain: _____
 44. YES NO Are you aware of any violation(s) of any of the following? (Check all that apply):
 45. Zoning Building Codes Utility Service Sanitary health regulations
 46. Covenants, Conditions, Restrictions (CC&R's) Other _____ (Attach a copy of notice(s) of violation if available.)
 47. Explain: _____
 48. _____
 49. YES NO Are you aware of any homeowner's insurance claims having been filed against the Property?
 50. Explain: _____
 51. **NOTICE TO BUYER: YOUR CLAIMS HISTORY, YOUR CREDIT REPORT, THE PROPERTY'S CLAIMS HISTORY**
 52. **AND OTHER FACTORS MAY AFFECT THE INSURABILITY OF THE PROPERTY AND AT WHAT COST. UNDER**
 53. **ARIZONA LAW, YOUR INSURANCE COMPANY MAY CANCEL YOUR HOMEOWNER'S INSURANCE WITHIN 60**
 54. **DAYS AFTER THE EFFECTIVE DATE. CONTACT YOUR INSURANCE COMPANY.**

BUILDING AND SAFETY INFORMATION

55. YES NO **STRUCTURAL:**
 56. YES NO Are you aware of any past or present roof leaks? Explain: _____
 57. _____
 58. YES NO Are you aware of any other past or present roof problems? Explain: _____
 59. _____
 60. YES NO Are you aware of any roof repairs? Explain: _____
 61. _____
 62. YES NO Is there a roof warranty? (Attach a copy of warranty if available.)
 63. YES NO If yes, is the roof warranty transferable? Cost to transfer _____
 64. **NOTICE TO BUYER: CONTACT A PROFESSIONAL TO VERIFY THE CONDITION OF THE ROOF.**
 65. YES NO Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: _____
 66. _____
 67. YES NO Are you aware of any cracks or settling involving the foundation, exterior walls or slab? Explain: _____
 68. _____
 69. YES NO Are you aware of any chimney or fireplace problems, if applicable? Explain: _____
 70. _____
 71. YES NO Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):
 72. Flood Fire Wind Expansive soil(s) Water Hail Other _____
 73. Explain: _____

YES NO

WOOD INFESTATION

- 74.
- 75. Are you aware of any of the following:
- 76. Past presence of termites or other wood destroying organisms on the Property?
- 77. Current presence of termites or other wood destroying organisms on the Property?
- 78. Past or present damage to the Property by termites or other wood destroying organisms?
- 79. Explain: _____
- 80. _____
- 81. Are you aware of past or present treatment of the Property for termites or other wood destroying organisms?
- 82. If yes, date last treatment was performed: _____
- 83. Name of treatment provider: _____
- 84. Is there a treatment warranty? (Attach a copy of warranty if available.)
- 85. If yes, is the treatment warranty transferrable?
- 86. **NOTICE TO BUYER: CONTACT STATE OF ARIZONA STRUCTURAL PEST CONTROL COMMISSION**
- 87. **FOR PAST TERMITE REPORTS OR TREATMENT HISTORY.**

HEATING & COOLING:

- 88.
- 89. Heating: Type(s) GAS FURNACE (CENTRAL HEAT)
- 90. Cooling: Type(s) AIR CONDITIONING (CENTRAL AIR)
- 91. Are you aware of any past or present problems with the heating or cooling system(s)?
- 92. Explain: _____

PLUMBING:

- 93.
- 94. Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC or polybutylene?
- 95. If yes, identify: COPPER & WIRSBO (PLASTIC)
- 96. Are you aware of any past or present plumbing problems? Explain: _____
- 97. _____
- 98. Are you aware of any water pressure problems? Explain: _____
- 99. Type of water heater(s): Gas Electric Solar Approx. age(s): 1 YR
- 100. Are you aware of any past or present water heater problems? Explain: _____
- 101. _____
- 102. Is there a landscape watering system? If yes, type: automatic timer manual both
- 103. If yes, are you aware of any past or present problems with the landscape watering system?
- 104. Explain: _____
- 105. Are there any water treatment systems? (Check all that apply):
- 106. water filtration reverse osmosis water softener Other _____
- 107. Is water treatment system(s) owned leased (Attach a copy of lease if available.)
- 108. Are you aware of any past or present problems with the water treatment system(s)?
- 109. Explain: _____

SWIMMING POOL/SPA/HOT TUB/SAUNA/WATER FEATURE:

- 110.
- 111. Does the Property contain any of the following? (Check all that apply):
- 112. Swimming pool Spa Hot tub Sauna Water feature
- 113. If yes, are either of the following heated? Swimming pool Spa If yes, type of heat: GAS
- 114. Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?
- 115. Explain: _____

ELECTRICAL AND OTHER RELATED SYSTEMS:

- 116.
- 117. Are you aware of any past or present problems with the electrical system? Explain: _____
- 118. _____

- 119. YES NO
- 120.
- 121. YES NO
- 122.
- 123. YES NO
- 124.
- 125.
- 126.

Is there a security system? If yes, is it (Check all that apply):

Leased (Attach copy of lease if available) Owned Monitored Other _____

Are you aware of any past or present problems with the security system? Explain: _____

Does the Property contain any of the following systems or detectors?(Check all that apply):

Smoke/fire detection Fire suppression (sprinklers) Carbon monoxide detector

If yes, are you aware of any past or present problems with the above systems? Explain: _____

NONE

MISCELLANEOUS:

- 127.
- 128. YES NO
- 129.
- 130.
- 131.
- 132.
- 133. YES NO
- 134.
- 135.
- 136. YES NO
- 137. YES NO
- 138. YES NO
- 139. YES NO
- 140. YES NO
- 141.
- 142. YES NO
- 143. YES NO
- 144. YES NO
- 145.
- 146. YES NO
- 147.

Are you aware of or have you observed any of the following on the Property? (Check all that apply):

Scorpions Rabid animals Bee swarms Rodents Owls Reptiles Other: _____

Explain: OCCASIONALLY SEEN OUTSIDE

How often is the Property serviced or treated for pests, reptiles, insects or animals? MONTHLY

Name of service provider: DOLLAR WISE Date of last service: MAY 18, 2007

Are you aware of any work done on the Property, such as building, plumbing, electrical or other improvements?

(If no, skip to line 139.)

Explain: _____

Are you aware of any rooms added to the Property or converted to bedrooms?

Were permits for the work required? Explain: _____

If yes, were permits for the work obtained? Explain: _____

Was the work performed by a person licensed to perform the work? Explain: _____

Was approval for the work required by any association governing the property? Explain: _____

If yes, was approval granted by the association? Explain: _____

Was the work completed? Explain: _____

Are there any security bars or other obstructions to door or window openings? Explain: _____

Are you aware of any past or present problems with any built-in appliances? Explain: _____

Are there any leased propane tanks, equipment or other systems on the Property? Explain: _____

UTILITIES

DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES?

- 148.
- 149. YES NO
- 150. YES NO
- 151. YES NO
- 152. YES NO
- 153. YES NO
- 154. YES NO
- 155. YES NO
- 156. YES NO
- 157.
- 158.
- 159. YES NO
- 160.
- 161. YES NO
- 162.
- 163.
- 164.

PROVIDER

Electricity: _____ SRP

Fuel: Natural gas Propane Oil _____ CITY OF MESA

Cable: _____ COX

Telephone: _____ COX

Garbage Collection: _____ CITY OF MESA

Fire: _____ CITY OF MESA

Irrigation: _____ VILLA TUSCANDO HOA

Water Source: Public Private water co. Private well Shared well Hauled water

If water source is a private or shared well, complete and attach DOMESTIC WATER WELL/WATER USE ADDENDUM.

If source is public, a private water company, or hauled water, Provider is: _____

Are you aware of any past or present drinking water problems? Explain: _____

Are there any alternate power systems serving the Property? If yes, indicate type (Check all that apply):

Solar Wind Generator Other _____

If yes, are you aware of any past or present problems with the alternate power system(s)? Explain: _____

Initials: _____ / _____
BUYER BUYER

ENVIRONMENTAL INFORMATION

- | | YES | NO | |
|------|-------------------------------------|-------------------------------------|---|
| 165. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply): |
| 166. | | | <input type="checkbox"/> Soil settlement/expansion <input type="checkbox"/> Drainage/grade <input type="checkbox"/> Erosion <input type="checkbox"/> Dampness/moisture <input type="checkbox"/> Other |
| 167. | | | Explain: _____ |
| 168. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any past or present issues or problems in close proximity to the Property related to any of |
| 169. | | | the following? (Check all that apply): |
| 170. | | | <input type="checkbox"/> Soil settlement/expansion <input type="checkbox"/> Drainage/grade <input type="checkbox"/> Erosion <input type="checkbox"/> Other _____ |
| 171. | | | Explain: _____ |
| 172. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply): |
| 173. | | | <input checked="" type="checkbox"/> Airport noise <input type="checkbox"/> Traffic noise <input type="checkbox"/> Rail line noise <input type="checkbox"/> Neighborhood noise <input type="checkbox"/> Landfill <input type="checkbox"/> Toxic waste disposal |
| 174. | | | <input type="checkbox"/> Odors <input type="checkbox"/> Nuisances <input type="checkbox"/> Sand/gravel operations <input type="checkbox"/> Other <u>FALCON FIELD - SMALL AIRCRAFT</u> |
| 175. | | | Explain: _____ |
| 176. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Are you aware if the Property is located in the vicinity of an airport (military, public, or private)? |
| 177. | | | Explain: <u>FALCON FIELD - 1 MILE</u> |
| 178. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply): |
| 179. | | | <input type="checkbox"/> Asbestos <input type="checkbox"/> Radon gas <input type="checkbox"/> Lead-based paint <input type="checkbox"/> Pesticides <input type="checkbox"/> Underground storage tanks <input type="checkbox"/> Fuel/chemical storage |
| 180. | | | Explain: _____ |
| 181. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware if the Property is located within any of the following? (Check all that apply): |
| 182. | | | <input type="checkbox"/> Superfund/ WQARF/ CERCLA <input type="checkbox"/> Wetlands area |
| 183. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any open mine shafts/tunnels or abandoned wells on the Property? |
| 184. | | | If yes, describe location: _____ |
| 185. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware if any portion of the Property is in a flood plain/way? Explain: _____ |
| 186. | | | _____ |
| 187. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any portion of the Property ever having been flooded? Explain: _____ |
| 188. | | | _____ |
| 189. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any water damage or water leaks of any kind on the Property? Explain: _____ |
| 190. | | | _____ |
| 191. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any past or present mold growth on the Property? If yes, explain: _____ |
| 192. | | | _____ |

SEWER/WASTEWATER TREATMENT

- | | YES | NO | |
|------|-------------------------------------|-------------------------------------|---|
| 193. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the entire Property connected to a sewer? Explain: _____ |
| 194. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | If yes, has a professional verified the sewer connection? If yes, how and when: <u>CONSTRUCTION 2005</u> |
| 195. | | | NOTICE TO BUYER: CONTACT A PROFESSIONAL TO CONDUCT A SEWER VERIFICATION TEST. |
| 196. | | | Type of sewer: <input type="checkbox"/> Public <input type="checkbox"/> Private <input type="checkbox"/> Planned and approved sewer system, but not connected |
| 197. | | | Name of Provider _____ |
| 198. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are you aware of any past or present problems with the sewer? Explain: _____ |
| 199. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 205.) |
| 200. | | | If yes, the Facility is: <input type="checkbox"/> Conventional septic system <input type="checkbox"/> Alternative system; type: _____ |
| 201. | <input type="checkbox"/> | <u>N/A</u> <input type="checkbox"/> | If the Facility is an alternative system, is it currently being serviced under a maintenance contract? |
| 202. | | | If yes, name of contractor: _____ Phone #: _____ |
| 203. | | | Approximate year Facility installed: _____ (Attach copy of permit if available.) |
| 204. | <input type="checkbox"/> | <u>N/A</u> <input type="checkbox"/> | Are you aware of any repairs or alterations made to this Facility since original installation? |
| 205. | | | Explain: _____ |
| 206. | | | _____ |
| 207. | | <u>N/A</u> | Approximate date of last Facility inspection and/or pumping of septic tank: _____ |

Initials: _____ /
BUYER BUYER

YES NO

208. *N/A* Are you aware of any past or present problems with the Facility? Explain: _____

209. _____
210. **NOTICE TO SELLER AND BUYER: THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES A**
211. **PRE-TRANSFER INSPECTION OF ON-SITE WASTEWATER TREATMENT FACILITIES ON RE-SALE PROPERTIES.**

OTHER CONDITIONS AND FACTORS

212. What other material (important) information are you aware of concerning the Property that might affect the buyer's decision-making
213. process, the value of the Property, or its use? Explain: _____

214. _____
215. _____
216. *NONE*
217. _____
218. _____

ADDITIONAL EXPLANATIONS

219. _____
220. _____
221. _____
222. _____
223. _____
224. *NONE*
225. _____
226. _____
227. _____
228. _____
229. _____
230. _____
231. _____

232. **SELLER CERTIFICATION:** Seller certifies that the information contained herein is true and complete to the best of Seller's
233. knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by
234. Seller to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections.

235. *[Signature]* 5/14/2007 *[Signature]* 5/14/2007
SELLER MO/DAYR SELLER MO/DAYR

236. Reviewed and updated: Initials: _____ / _____
SELLER SELLER MO/DAYR

237. **BUYER'S ACKNOWLEDGEMENT:** Buyer acknowledges that the information contained herein is based only on the Seller's actual
238. knowledge and is not a warranty of any kind. Buyer acknowledges Buyer's obligation to investigate any material (important) facts in
239. regard to the Property. Buyer is encouraged to obtain Property inspections by professional independent third parties and to
240. consider obtaining a home warranty protection plan.

241. **NOTICE:** Buyer acknowledges that by law, Sellers, Lessors and Brokers are not obligated to disclose that the Property is or has been:
242. (1) the site of a natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed
243. to HIV, diagnosed as having AIDS or any other disease not known to be transmitted through common occupancy of real estate; or (3)
244. located in the vicinity of a sex offender.

245. **By signing below, Buyer acknowledges receipt only of this SPDS. If Buyer reasonably disapproves of any items provided
246. herein, Buyer shall deliver to Seller written notice of the items disapproved as provided in the Contract.**

247. _____ MO/DAYR _____ MO/DAYR
BUYER BUYER