

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: **9/18/2022**

Property Address: **229 Pinon Lake Drive, Divide, CO 80814**

Seller: **Adam Summers as Personal Representative of the Estate of Craig Alan Summers**

Year Built: **2014**

I. IMPROVEMENTS

| A. | STRUCTURAL CONDITIONS If you know of any of the following problems EVER EXISTING check the "Yes" column: | Yes | Comments |
|----|--|-----|----------|
| 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 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 problems | | |
| 4 | Gutter or downspout problems | | |
| 5 | Other roof problems | | |
| 6 | | | |
| 7 | | | |

| B-1. | ROOF - Other Information: Do you know of the following on the Property: | Yes | Comments |
|------|--|--------------------------|----------|
| 1 | Roof under warranty until Transferable | | |
| 2 | Roof work done while under current roof warranty | | |
| 3 | Roof material Corrugated metal Age ;7 | | |
| 4 | | | |
| 5 | | <input type="checkbox"/> | |

Initials _____

| 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 | | | |
| 3 | Clothes washer | | | |
| 4 | Dishwasher | | | |
| 5 | Disposal | | | |
| 6 | Freezer | | | |
| 7 | Gas grill | | | |
| 8 | Hood | | | |
| 9 | Microwave oven | | | |
| 10 | Oven | | | |
| 11 | Range | | | |
| 12 | Refrigerator | | | |
| 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 | | | |
| 2 | Smoke/fire detectors: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire | | | |
| 3 | Carbon Monoxide Alarm: <input type="checkbox"/> Battery <input type="checkbox"/> Hardwire | | | |
| 4 | Light fixtures | | | |
| 5 | Switches & outlets | | | |
| 6 | Electrical Service | | | |
| 7 | Telecommunications (T1, fiber, cable, satellite) | | | |
| 8 | Inside telephone wiring & blocks/jacks | | | |
| 9 | Ceiling fans | | | |
| 10 | Garage door opener and remote control | | | |
| 11 | Intercom/doorbell | | | |
| 12 | In-wall speakers | | | |
| 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 | | | |
| 2 | Landscape lighting | | | |
| 3 | Aluminum wiring at the outlets (110) | | | |
| 4 | Electrical Service: Amps | | | |
| 5 | Garage door control(s) # | | | |
| 6 | | | | |
| 7 | | | | |

| 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 | | | | |
| 5 | | | | |

| 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 | | | |

Initials _____

| | | | | |
|----|-----------------------|--|--|--|
| 2 | Air conditioning: | | | |
| | Evaporative cooler | | | |
| | Window units | | | |
| | Central | | | |
| 3 | Attic/whole house fan | | | |
| 4 | Vent fans | | | |
| 5 | Humidifier | | | |
| 6 | Air purifier | | | |
| 7 | Fireplace | | | |
| 8 | Fireplace insert | | | |
| 9 | Heating Stove | | | |
| 10 | Fuel tanks | | | |
| 11 | | | | |
| 12 | | | | |

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

| WATER | | | | |
|--------------|--|------------|--|-----------------|
| G. | 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 | | | | |

| WATER - Other Information: | | | Age If Known | |
|-----------------------------------|---|------------|---------------------|-----------------|
| G-1. | Do you know of the following on the Property: | Yes | | Comments |
| 1 | Water heater: Number of 2 Fuel type Natural Gas Capacity | | | |
| 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 | | | | |

Initials _____

| | |
|--|--|
| SOURCE OF WATER & WATER SUPPLY: | |
| H. | 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>Highland Lakes Water District</u> Address: _____ Web Site: https://hlpoa.net/community/utilities-services/ Phone No.: <u>719-687-7937</u> <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. |

| SEWER | | | |
|--------------|--|------------|-----------------|
| I. | 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 | | | |

| | |
|-----------------------------------|--|
| SEWER - Other Information: | |
| I-1. | Do you know of the following on the Property: |
| 1 | Type of sanitary sewer service: <input type="checkbox"/> Public <input type="checkbox"/> Community <input checked="" 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 checked="" 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 | |

| FLOODING AND DRAINAGE | | | |
|------------------------------|---|------------|-----------------|
| J. | 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 | | | |

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

| OTHER DISCLOSURES - IMPROVEMENTS | | | |
|---|--|------------|-----------------|
| K. | 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 | | |
| 4 | | | |
| 5 | | | |

II. GENERAL

| USE, ZONING & LEGAL ISSUES | | | |
|---------------------------------------|--|------------|-----------------|
| L. | 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 | | |

Initials _____

| | | | |
|----|---|--|--|
| 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 of the following 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 | | | |
| 9 | | | |

| 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"/> | A family dog used to be present at the residence |
| 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 | | |
| 13 | Environmental assessments, studies or reports done involving the physical condition of the Property | | |
| 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 | | |

Initials _____

| | | | |
|---|---|--|--|
| 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 | | | |

| OTHER DISCLOSURES - GENERAL | | | |
|------------------------------------|--|------------|-----------------|
| P. | 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 | | |
| 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**.

Adam M Summers, Personal Representative Date: 9/18/2022

Seller: **Adam Summers as Personal Representative of the Estate of Craig Alan Summers**
By: Adam M Summers, Personal Representative

Seller: _____ Date: _____

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;

Initials _____

- 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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Initials _____

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission (SWA35-8-10) (Mandatory 1-11)

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

**SOURCE OF WATER ADDENDUM
TO CONTRACT TO BUY AND SELL REAL ESTATE**

Date: 9/18/2022

1. ADDENDUM TO CONTRACT TO BUY AND SELL REAL ESTATE. This Source of Water Addendum (Addendum) is made a part of that Contract to Buy and Sell Real Estate between Seller and Buyer dated _____ (Contract), for the purchase and sale of the Property known as No. **229 Pinon Lake Drive, Divide, CO 80814**

2. SOURCE OF POTABLE WATER. Seller discloses the following information for the source of potable water for the Property:

[Select and complete 1, 2 or 3 as applicable.]

2.1 The Property's source of water is a Well. Well Permit #:
If a well is the source of water for the Property, a copy of the current Well Permit **Is** **Is Not** attached.

2.2 The Water Provider for the Property can be contacted at:
Name: **Highland Lakes Water District**
Address: **3136 Blue Mesa Drive Divide, CO 80814**
Web Site:
Phone No.: **719-687-7937**

2.3 There is neither a Well nor a Water Provider for the Property. The source of water for the Property is [describe source]:

NOTE TO BUYER: 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.

Adam M Summers, Personal Representative

Date: 9/18/2022

Seller: **Adam Summers as Personal Representative of the Estate of Craig Alan Summers**
By: Adam M Summers, Personal Representative

Seller: _____ Date: _____

Buyer: _____ Date: _____

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46 Buyer: _____ Date: _____

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SWA35-8-10. SOURCE OF WATER ADDENDUM TO CONTRACT TO BUY AND SELL REAL ESTATE. CTM eContracts - ©2022 MRI Software LLC - All Rights Reserved

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**SQUARE FOOTAGE DISCLOSURE
(Residential)**

This disclosure is made to Buyer and Seller pursuant to the requirements of the Colorado Real Estate Commission and applies to improved residential real estate. Check applicable boxes below.

Property Address: **229 Pinon Lake Drive, Divide, CO 80814**

1. Licensee Measurement

Listing Licensee **Has** **Has Not** measured the square footage of the residence according to the following standard, methodology or manner:

| Standard/Methodology/Manner | Date Measured | Square Footage |
|---|---------------|----------------|
| <input type="checkbox"/> Exterior measurement | | |
| <input type="checkbox"/> FHA | | |
| <input type="checkbox"/> ANSI | | |
| <input type="checkbox"/> Local standard | | |
| <input type="checkbox"/> Other | | |

2. Other Source of Measurement :

Listing Licensee **Is** **Is Not** providing information on square footage of the residence from another source(s) as indicated below:

| Source of Square Footage Information | Date | Square Footage |
|---|-------------------|----------------|
| <input type="checkbox"/> Prior appraisal (Date of document) | | |
| <input type="checkbox"/> Building plans (Date of document) | | |
| <input checked="" type="checkbox"/> Assessor's office (Date obtained) | 08/09/2022 | 2853 |
| <input type="checkbox"/> Other | | |

Measurement may not be exact and is for the purpose of marketing ONLY. Measurement is not for loan, valuation or other purposes. **If exact square footage is a concern, the property should be independently measured.**

Buyer and Seller are advised to verify this information. Any independent measurement or investigation should be completed by Buyer on or before any applicable deadline in the contract.

Tod Tobiasson

Date: **9/18/2022**

Broker: **Tod Tobiasson**

The undersigned acknowledge receipt of this disclosure.

Adam M Summers, Personal Representative

Date: **9/18/2022**

Seller: **Adam Summers as Personal Representative of the Estate of Craig Alan Summers**
By: Adam M Summers, Personal Representative

Buyer: _____ Date: _____

