

TO BE COMPLETED BY SELLER (Please Print)

Property Address: 33 Punta Linda

Seller's Name(s): John C & Avalée S. Lilly

Date this form completed by Seller: 3/22/2007

A. TITLE AND ACCESS

1. Is the land owned? ☒ leased? _____ Remaining years on the lease? _____
Yes _____ No ☒
2. Is any part of the property leased? _____
Expiration date of lease? _____
Yes _____ No ☒
3. Is any part of the property rented month-to-month? _____
Length of notice period (30 days, etc.) _____
Yes _____ No ☒
4. Has the lessee an option to extend the lease? _____
Yes _____ No ☒
5. Does anyone have the right to buy, option, or lease the property? _____
Yes _____ No _____ Don't know _____
6. Are there any boundary disputes, boundary or easement agreements, stand-by charges, assessments, judgments, lawsuits, overhead encroachments, encroachment agreements with public utility companies, easements, leases, liens, or notices of default? _____
Yes _____ No ☒ Don't know _____
7. Do you claim any exemptions to property taxes (i.e., veteran, head of household)? _____
Yes _____ No ☒ Don't know _____
8. Please explain any "Yes" answer: _____

B. ENVIRONMENTAL

1. Are you aware of any excessive noises (such as airplanes, trains, trucks, freeway, etc.)? Yes _____ No ☒
2. Are you aware of any unusual odors (such as from toxic waste, agriculture, industry, other, etc.)? Yes _____ No ☒
3. Are you aware of any hazardous wastes, asbestos, radon gas, lead-based paint, urea formaldehyde, or other substances that may affect the property? Yes _____ No ☒
4. Please explain any "Yes" answers: _____

C. LAND

1. Are you aware of a landfill (compacted or otherwise) on any portion of the property? Yes _____ No ☒
 2. Is the property located wholly or partially within a Flood Hazard Zone, as determined by a Flood Insurance Program? Yes _____ No ☒ Don't know _____
 3. Do you currently pay for Flood Insurance? Yes _____ No ☒
 4. Are you aware of any legal issues, proposed buildings, bridges, roadways, or real estate developments which could impact this property's value? Yes _____ No ☒
- If Yes, please explain: _____

D. STRUCTURE(S)

1. What year was the house built? 2001
2. If applicable, what year was the house last stuccoed? 2001
3. If applicable, are you aware of the existence of an exterior synthetic stucco system or exterior synthetic coatings? Yes ☒ No ☐
4. If applicable, is the stucco painted? Yes ☒ No ☐
5. Are you aware of any of the following?
 - a. Any condition in the home or other structures upon the property that would be considered substandard or damaged... Yes ☐ No ☒
 - b. Any violations of government regulations, ordinances, or zoning laws affecting the property... Yes ☐ No ☒
 - c. Any excessive settling, slippage, or any soil problems, past or present... Yes ☐ No ☒
 - d. Any significant cracks in foundation, exterior walls, interior walls, retaining walls, slab floors, ceilings, tiles, chimneys, fireplaces, decks, or garage floor... Yes ☐ No ☒
 - e. Any room additions, room conversions, outbuildings, structural modifications, alterations, or repairs made without required permits or not in compliance with building codes... Yes ☐ No ☒
 - f. Any past or current moldy conditions or treatment for mold? Yes ☐ No ☒
 - g. Any past or current water leaks or repairs of conditions involving water leaks, water infiltration, ponding under or around structure/crawlspace or other conditions which could be conducive to mold? Yes ☒ No ☐
6. Please explain any "Yes" answers: Roof repair on cooler screen on 12' area and South facing living room window leak repaired by Pella

E. WELL AND SEPTIC TANK (if applicable)

1. Source of water supply: Private well? ☒ Shared or community well? ☐
Public? ☐ (If Public, skip to 9.)
2. If community well, who is supplier?
Name: _____ Phone #: _____
3. If a private well, when was a water sample last checked? _____
4. Results of test: _____
5. Is there a well pump? Yes ☒ No ☐ Don't know ☐
If Yes, when was well pump installed? 2000
6. Is it in good working condition? Yes ☒ No ☐ Don't know ☐
7. Is there sufficient water yield at all times? Yes ☒ No ☐ Don't know ☐
8. Do you have high iron/high mineral content in your water? Yes ☒ No ☐ Don't know ☐
9. Is there a septic tank? Yes ☒ No ☐
Capacity 1200 Gal (If No, skip to F.)
10. Do you have an Operating Permit from the County? Yes ☐ No ☐ will check
11. When was your septic tank last pumped? not to date
12. Do you know the location of the leach field and septic tank? Yes ☒ No ☐
If Yes, describe approximate location: tank ~50 ft west of southwest corner of house; field extends west & north from tank (4 bedroom capacity)
13. Are you aware of any deficiencies with respect to the leach field and septic tank? Yes ☐ No ☒
14. Does the septic tank have a riser on it? Yes ☐ No ☒ Don't know ☐
15. Is there a sewer line in the street? Yes ☐ No ☒ Don't know ☐
16. Have you been told you can hook-up to the sewer line in the street? Yes ☐ No ☒

F. PLUMBING

1. Type of water supply pipes: Copper ☒ Galvanized ☐ Polybutylene ☐ Don't know ☐
2. Are you aware of any plumbing leaks around or under sinks, toilets, showers, bathtubs, or lavatories? Yes ☐ No ☒
- Explain: _____
3. If a Jacuzzi style tub, do the jets work? Yes ☒ No ☐ Don't know ☐
4. Is there a water line for a refrigerator icemaker? Yes ☒ No ☐ Don't know ☐
5. Do you have any filtering systems? Yes ☒ No ☐ Don't know ☐
6. Are you aware of below normal water pressure in your water supply lines? (Normal is 40 to 70 lbs.) Yes ☐ No ☒
7. Is the home hooked up to public, municipal sewer? Yes ☐ No ☒ Don't know ☐
8. Is there any type of "gray water" system? Yes ☐ No ☒ Don't know ☐
9. When was your sewer line last cleaned? _____

By what company? _____

10. How often do you need to clean your sewer line? _____
11. Have you replaced or been advised to replace all or part of your sewer line? Yes ☐ No ☐ Don't know ☐

Explain: _____

12. Age of hot water heater(s) ~~6-725~~ # gallons 50 Gal New 2-08 2 sz
13. Type of hot water heater(s): Gas ☒ Electric ☐
14. During your ownership, have you replaced the hot water heater(s)? Yes ☐ No ☒
15. Do you have a water softener/conditioner? (if not, skip to G) Yes ☒ No ☐
16. Is it to stay with the property? Yes ☒ No ☐
17. Is it owned? ☒ leased? ☐
- If leased, from whom? _____

G. SWIMMING POOL, SPA, HOT TUB (if applicable)

1. Is there a swimming pool on the property, including filled in? Yes ☐ No ☒ Don't know ☐
2. What is the age of the pool? _____
3. Is the pool above ground? _____ in ground? _____
4. Is the pool fiberglass? _____ gunite? _____ vinyl? _____
5. Is there a pool heater? Yes ☐ No ☐ Don't know ☐
6. Is it gas? _____ electric? _____ solar? _____
7. Is there a pool sweep? Yes ☐ No ☐ Don't know ☐
8. Is there a cover for the pool? Yes ☐ No ☐ Don't know ☐
9. What type? _____
10. How old is the cover? _____ Condition: _____
11. Will the cover convey with the sale of the property? Yes ☐ No ☐
12. Is all the pool equipment in good working condition? Yes ☐ No ☐ Don't know ☐
13. Is the pool maintained by a regular pool service? Yes ☐ No ☐
14. Has the pool been winterized? Yes ☐ No ☐ Don't know ☐
15. By whom? _____
16. Is there a hot tub or spa? Yes ☐ No ☒
17. Is the equipment in good working order? Yes ☐ No ☐ Don't know ☐
18. Does it have a cover in good condition? Yes ☐ No ☐ Don't know ☐

H. ROOF, GUTTERS, DOWNSPOUTS

1. Type of roof: Pitched Pueblo/Flat ☒ Pitched & flat
If Flat, does the roof have a positive slope? Yes ☒ No Don't know
2. Type of roofing material (tar & gravel, asphalt shingles, etc.)
5 ply tar buildup

Additional comments:

3. Has all or part of the roof been resurfaced or replaced? Yes ☒ No Don't know
If Yes, what year? 2006 By whom? Palomino Roofing & Concrete Services

What portions? Roof above 12' ceiling section repaired & completely resurfaced

Additional comments:

4. Is there a transferable written guarantee? Yes No Don't know ☒
If Yes, until what date? By whom?
5. Has the roof ever leaked? Yes ☒ No Don't know
If Yes, what, if anything, has been done to correct the problem?
Replaced North cooler screen, repaired sub roof and re-roofed entire 12' ceiling area; performed general maintenance on entire roof area
6. Do spouts and gutters drain away from the property? Yes ☒ No Don't know
7. Are you aware of any faulty drainage or water penetration on the property? Yes No ☒

If so, describe:

I. ELECTRICAL SYSTEM

1. Is the electrical wiring copper? ☒ aluminum? Don't know
If aluminum, has the aluminum wiring been pig-tailed with copper wiring? Yes No Don't know
2. Are you aware of any damaged or malfunctioning receptacles or switches? Yes No ☒

If Yes, which ones?

3. Are you aware of any extension cords stapled to baseboards or underneath the carpets or rugs? Yes No ☒

Comments:

4. Are you aware of any defective, malfunctioning, or improperly installed electrical equipment on, inside, or outside the house? Yes No ☒

Comments:

5. Has electrical service been modified since originally installed? Yes ☒ No Don't know

Comments: 220 circuits in garage converted back to 110 service

6. Do any circuits trip regularly? Yes No ☒

If so, which ones?

Comments:

7. Are you aware of any electric lines encroaching on the property? Yes No ☒

If so, where?

8. Are there encroachment agreements with any utility companies? Yes No Don't know ☒

If so, for what reason?

J. HEATING, AIR CONDITIONING, SPRINKLERS/BUBBLERS, OTHER EQUIPMENT

HEATING and COOLING (INCLUDE NUMBER OF UNITS):

1. Type of heat? Radiant floor system
2. Is the house all electric? Yes ___ No ☒ Don't know ___
3. Central forced air heat? Yes ___ No ☒ Don't know ___
4. Does the house have natural gas? propane? ☒
If Propane, is the tank owned? ☒ leased? ___ Lease Co. _____
5. Floor furnace? ___ wall furnace? ___ other furnace? ___
6. Electric baseboard heat? Yes ___ No ☒ Don't know ___
7. Hot water baseboard heat? Yes ___ No ☒ Don't know ___
8. Solar heat? Yes ___ No ☒ Don't know ___
9. Wood heat? Yes ___ No ☒ Don't know ___
10. "No Burn Night" approved? Yes ___ No ___ Don't know ___
11. In-floor radiant heat? Yes ☒ No ___ Don't know ___
12. Are there any rooms without heat ducts? Yes ___ No ☒ Don't know ___

If Yes, please provide location? _____

13. Are there any rooms without a direct heat source? Yes ___ No ☒ Don't know ___

If Yes, please provide location? _____

14. Is the cooling Evaporative? Yes ☒ No ___ Don't know ___

of Units 2 How is it ducted? galvanized & flex hose in ceiling

15. Is the cooling Refrigerated? Yes ___ No ☒ Don't know ___

of Units _____

16. Is it central? Yes ☒ No ___ Don't know ___
17. Are there any furnaces or A/Cs that have been abandoned? Yes ___ No ☒ Don't know ___
18. Do all heaters and A/Cs work properly? Yes ☒ No ___ Don't know ___

If No, please explain: _____

19. Is there a fireplace? Yes ☒ No ___ Don't know ___
Woodburning ___ gas logs? ☒ pellet? ___ other? ___
20. Is there a gas log lighter? on living room - 2 switch Yes ☒ No ___ Don't know ___
21. Does damper work? Yes ___ No ___ Don't know ___
22. Are flues welded open? (wired) Yes ___ No ☒ Don't know ___
23. Do you have approved glass enclosure? Yes ☒ No ___ Don't know ___
24. Do all fireplaces work properly? Yes ☒ No ___ Don't know ___

If No, please explain: _____

25. When was the fireplace chimney last swept? not

K. GARAGE:

1. Number of electric garage door openers 3
2. Is the electric garage door opener in good working condition? Yes ☒ No ___ Don't know ___
3. How many openers will you be giving to the new buyer? 3
4. Is garage door in good operating condition? Yes 3 No ___

If No, please explain: _____

5. Has the garage been modified to alter its original size? Yes ___ No ☒ Don't know ___
6. Any limitations on size of car you can park in garage? Yes ___ No ___ Don't know ☒

Please explain: _____

L. ALARMS:

1. Do you have an alarm system? Yes ☒ No ☐ Don't know ☐
If Yes, is it in good working order? Yes ☐ No ☐ Don't know ☒
2. Is the system owned? ☒ leased? ☐
If leased, please provide Lease Co. name: _____
What is the current lease fee? _____ Monitoring fee _____
3. Is the house pre-wired for an alarm system? Yes ☒ No ☐ Don't know ☐
4. Are there smoke detectors? Yes ☒ No ☐
How many? 6
5. Are the smoke detectors battery operated? Yes ☒ No ☐ Don't know ☐
6. Are they 110 volt operated? Yes ☐ No ☒ Don't know ☐
7. Are they in good working order? Yes ☒ No ☐ Don't know ☐

M. SPRINKLERS:

1. Sprinklers? Yes ☐ No ☒ Don't know ☐
Auto-timed? _____ Manual? _____ Front yard? _____ Back yard? _____
2. Are they in good working order? Yes ☐ No ☐ Don't know ☐
3. Are there any areas the sprinklers do not properly water? Yes ☐ No ☐ Don't know ☐
If Yes, please explain: _____
4. Are there any areas of excessive standing water? Yes ☐ No ☐ Don't know ☐
5. Do the bushes/trees have bubblers or drip irrigation? Yes ☐ No ☒ Don't know ☐
6. Are bubblers (if present) on auto-timer? Yes ☐ No ☐ Don't know ☐
7. Is the drip system (if present) on auto-timer? Yes ☐ No ☐ Don't know ☐
8. Are you aware of any of the above equipment that is in need of repair or replacement or is improperly installed? Yes ☐ No ☒ Don't know ☐
If Yes, please explain: _____

N. BUILT-IN APPLIANCES

1. Are you aware of any built-in appliances that are in need of repair or replacement? Yes ☐ No ☒ Don't know ☐
Explain: _____
2. Type of dryer hookup? gas ☐ electric ☐ both ☒
3. Is there an outside vent for the dryer? Yes ☒ No ☐ Don't know ☐
4. Is the range gas? ☒ electric? ☐
5. Is the oven gas? ☐ electric? ☒
6. Are hookups for both gas and electric available for stove? Yes ☒ No ☐
7. Is the oven self-cleaning? Yes ☒ No ☐
8. Is the oven continuous cleaning? Yes ☐ No ☒

O. HOME OWNERS ASSOCIATION (HOA)

1. Is there a Home Owners Association (HOA)? Yes ☒ No ☐ Don't know ☐
If Yes, Name: San Pedro Creek Estates Homeowners Assoc Contact Person: Allison Bale
Address: P.O. Box 21699, Albuquerque, NM 87154 Phone # 505-888-4479
2. Is the property managed by a Property Management Company? Yes ☒ No ☐ Don't know ☐
3. Are dues collected annually? ☒ monthly? ☐ Amt. Of Dues \$781.52 / year \$800.00 / 2008 042
4. What is included in the dues? Maintain private roads, taxes on "open" space,
entrance gate maintenance, newsletters and community activities
5. Has the Association notified you of special assessments or dues increase in the last 12 months? Yes ☐ No ☐ Don't know ☒
6. Do you have copies of any of the following? (Please check)
The CC&R's ☒ Condominium Declaration ☐ Association By-laws ☐
Articles of Incorporation ☐ Subdivision Reports ☐ Current Financial Statement ☐
Regulations currently in effect ☐ NONE ☐

HOME OWNERS ASSOCIATION () (continued)

7. Are there any restrictions for storage of recreational vehicles or boats on driveways or in common areas? Yes ☒ No ☐ Don't know ☐

If Yes, please explain: See CCR's

8. Are there any restrictions concerning pets? Yes ☐ No ☐ Don't know ☒
9. Are architectural or decorative alterations subject to Association approval? Yes ☒ No ☐ Don't know ☐

List any known restrictions: See CCR's

10. Is it mandatory to belong to the Association? Yes ☒ No ☐ Don't know ☐
11. Is there any outstanding litigation or legal action involving the HOA? Yes ☐ No ☐ Don't know ☒

If Yes, please explain: _____

12. Additional comments: _____

P. OTHER DISCLOSURES

1. Are you aware of any past or present existence of any pests (i.e. termites, ants, wood destroying insects, mice, etc.) Yes ☒ No ☐

If Yes, please explain: outside mice, pocket gophers in yard

2. Are you aware of any past or present treatment for the eradication of any pests? Yes ☒ No ☐

If Yes, what pest and when did treatment occur? traps outside for field mice as needed

3. Do you currently use a pest control company? Yes ☐ No ☒

If Yes, name of company: _____ Phone # _____

If Yes, how often do they treat? _____ What do they treat for? _____

4. Do you have security bars on the doors or windows? Yes ☐ No ☒
5. Do you have at least one safety release on the security bars in all bedrooms? Yes ☐ No ☒
6. Are there any windows that are fogged or broken? Yes ☐ No ☒
7. Are there any windows missing the cranking mechanism or other components to open or close the window or lock the window? Yes ☐ No ☒
8. Are there any window or door screens torn or missing? Yes ☐ No ☒

Explain locations of above problems: _____

9. Are there other items that are attached to the house, but do not stay with the house? Yes ☒ No ☐ satellite receiver's

magnetic knife strip in kitchen, wall telephones, and cards

Explain: horus above front door, cut glass window in foyer, extension cord reel in garage

10. Are there any burns, tears, stains, or discoloration in the carpet or flooring which may not be visible due to furniture or rugs? Yes ☐ No ☒ Don't know ☐
11. Have any pets resided in the house? Yes ☒ No ☐ Don't know ☐
12. Are there any odors existing on the property as a result of any pets? Yes ☐ No ☒
13. Do you have any city owned trash receptacles? Yes ☐ No ☒

How many? _____

14. Are you aware of any insurance claims made on the property in the last 5 years? Yes ☒ No ☐
15. Are you aware of any insurance application or prior coverage regarding all or any part of the property that has been rejected or will not be renewed? Yes ☐ No ☒

16. Please explain in detail any "Yes" answer to questions 14 or 15 above: claim for roof leak - denied

OTHER DISCLOSURES (continued)

1. Please disclose any quirks in this property that you are aware of:

• Two skylights (hallway and master bedroom) filled in and covered over at ceiling

Q. OWNERSHIP

1. Are you a licensed real estate agent or broker?
2. Have all persons on the title signed the listing agreement?

Yes ___ No ☒
Yes ___ No ☒

THIS IS NOT A CONTRACT

Seller hereby instructs Agent to use reasonable effort to distribute this form to prospective purchasers of the property. This Seller's Disclosure form is incorporated into the Listing Agreement executed by Seller and Agent. Seller certifies that the information herein is true and correct to the best of the Seller's knowledge as of the date signed by Seller. Seller further agrees to notify Buyer of any additional items, which may become known to Seller after this date.

SELLER: John C. Lilly DATE: 3-22-2007

SELLER: Arvalie S. Lilly DATE: 3-22-2007

I/we acknowledge receipt of a copy of this statement. I/we understand that the information in this statement has been supplied by the Seller and is based solely on the Seller's awareness and is not a warranty. In no event has the information been supplied by the Broker nor is the Broker responsible for the accuracy of the information. I/we acknowledge this is not a new home and that it is our responsibility to use due diligence to verify the accuracy of the information in this statement. We are not relieved of this responsibility by virtue of the delivery of this statement to us. This statement is not a substitute for the need for inspections. The Seller's liability is limited to those statements Seller knew to be false.

BUYER: _____ DATE: _____

BUYER: _____ DATE: _____

AMENDMENT TO SELLER'S DISCLOSURE

For the property located at _____

On December 19, 2000, Bernalillo County enacted a new Wastewater Ordinance. A copy of the ordinance may be obtained from Bernalillo County Environmental Health Department at 600 2nd St. NW, Suite 500, in Albuquerque. This ordinance affects all existing and new septic systems throughout Bernalillo County. Buyers are advised to familiarize themselves with this ordinance, and the impact that this ordinance has on the property they are purchasing. Buyers are further advised to seek legal counsel if they do not understand the ordinance.

The buyers also understand that the septic system on the property they are purchasing may or may not comply with the new criteria as set forth in Ordinances 2000-7. The buyers acknowledge that they have been provided the opportunity to have the system evaluated. The septic pumping and certification that may be performed on the system is not to determine current code compliance but instead to determine if the system is functioning at that time.

By signing below, the parties acknowledge receipt of this document.

Buyer

Seller

Date

Date