

# APPENDIX A. RESIDENTIAL PROPERTY CONDITION DISCLOSURE STATEMENT [NEW]

**Notice to Seller:** Oklahoma Law (the "Residential Property Condition Disclosure Act," Title 60, O.S., Sections 831 et seq., effective July 1, 1995) requires Sellers of 1 and/or 2 residential dwelling units to complete this form. A Seller must complete, sign and date this disclosure form and deliver it or cause it to be delivered to a Purchaser as soon as practicable, but in any event no later than before an offer is accepted by the Seller. If the Seller becomes aware of a defect after delivery of this statement, but before the Seller accepts an offer to purchase, the Seller must deliver or cause to be delivered an amended disclosure statement disclosing the newly discovered defect to the Purchaser. If the disclosure form or amendment is delivered to a Purchaser after an offer to purchase has been made by the Purchaser, the offer to purchase shall be accepted by the Seller only after a Purchaser has acknowledged receipt of this statement and confirmed the offer to purchase in writing.

**Notice to Purchaser:** The declarations and information contained in this disclosure statement are not warranties, express or implied of any kind, and are not a substitute for any inspections or warranties the purchaser may wish to obtain. The information contained in this disclosure statement is not intended to be a part of any contract between the Purchaser and Seller. The information and statements contained in this disclosure statement are declarations and representations of the Seller and are not the representations of the real estate licensee.

**Instructions to the Seller:** (1) Answer ALL questions. (2) Report known conditions affecting the property. (3) Complete this form yourself. (4) If some items do not apply to your property, circle N/A (not applicable). If you do not know the facts, circle Unk (unknown). (5) The date of completion by you may not be more than 180 days prior to the date this form is received by a purchaser.

**LOCATION OF SUBJECT PROPERTY:** 2183 Highway 75  
Wetumka OK 74883-9512

**SELLER IS \_\_\_ IS NOT \_\_\_ OCCUPYING THE SUBJECT PROPERTY.**

**Appliances/Systems/Services:** (The items below are in **NORMAL** working order)

	Circle below					Circle below			
	N/A	Yes	No	Unk		N/A	Yes	No	Unk
Sprinkler System	N/A	Yes	No	Unk	Humidifier	N/A	Yes	No	Unk
Swimming Pool	N/A	Yes	No	Unk	Gas Supply	N/A	Yes	No	Unk
Hot Tub/Spa	N/A	Yes	No	Unk	___ Public ___ Propane				
Water Heater	N/A	Yes	No	Unk	___ Butane				
___ Electric ___ Gas					Propane Tank	N/A	Yes	No	Unk
___ Solar					___ Leased ___ Owned				
Water Purifier	N/A	Yes	No	Unk	Ceiling Fans	N/A	Yes	No	Unk
Water Softener	N/A	Yes	No	Unk	Electric Air Purifier	N/A	Yes	No	Unk
___ Leased ___ Owned					Garage Door Opener/				
Sump Pump	N/A	Yes	No	Unk	Control	N/A	Yes	No	Unk
Plumbing	N/A	Yes	No	Unk	Intercom	N/A	Yes	No	Unk
Whirlpool Tub	N/A	Yes	No	Unk	Central Vacuum	N/A	Yes	No	Unk
Sewer System	N/A	Yes	No	Unk	Security System	N/A	Yes	No	Unk
___ Public ___ Septic					___ Rent ___ Own				
___ Lagoon					___ Monitored				
Air Conditioning					Smoke Detectors	N/A	Yes	No	Unk
System	N/A	Yes	No	Unk	Dishwasher	N/A	Yes	No	Unk
___ Electric ___ Gas					Electrical Wiring	N/A	Yes	No	Unk
___ Heat Pump					Garbage Disposal	N/A	Yes	No	Unk
Window Air					Gas Grill	N/A	Yes	No	Unk
Conditioner(s)	N/A	Yes	No	Unk	Vent Hood	N/A	Yes	No	Unk
Attic Fan	N/A	Yes	No	Unk	Microwave Oven	N/A	Yes	No	Unk
Fireplaces	N/A	Yes	No	Unk	Built-in Oven/Range	N/A	Yes	No	Unk
Heating System	N/A	Yes	No	Unk	Kitchen Stove	N/A	Yes	No	Unk
___ Electric ___ Gas					Trash Compactor	N/A	Yes	No	Unk
___ Heat Pump									

Seller's Initials JDM Seller's Initials JM  
(OREC-7/12)

Buyer's Initials \_\_\_\_\_ Buyer's Initials \_\_\_\_\_



**LOCATION OF SUBJECT PROPERTY**

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Source of Household Water

Other Items \_\_\_\_\_

Yes

No

Unk

Other \_\_\_\_\_

Yes

No

Unk

\_\_\_Public \_\_\_Private \_\_\_Well Yes No Unk

Other \_\_\_\_\_

Yes

No

Unk

**IF YOU HAVE ANSWERED NO to any of the above, please explain. Attach additional pages with your signature(s).**

**Zoning, Flood and Water**

**Circle below**

1. Property is zoned: **(Check one)** ☒ residential \_\_\_commercial \_\_\_historical  
\_\_\_agricultural \_\_\_industrial \_\_\_office  
\_\_\_urban conservation \_\_\_other \_\_\_unknown

2. What is the flood zone status of the property? \_\_\_\_\_

3. Are you aware of any flood insurance requirements concerning the property?

Yes

No

Unk

4. Do you have flood insurance on the property?

Yes

No

Unk

5. Has the property been damaged or affected by flood, storm run-off, sewer backup, drainage or grading problems?

Yes

No

Unk

6. Are you aware of any surface or ground water drainage systems which assist in draining the property, e.g. french drains?

Yes

No

Unk

7. Has there been any occurrence of water in the heating and air conditioning duct system?

Yes

No

Unk

8. Are you aware of water seepage, leakage or other drainage problems in any of the improvements on the property?

Yes

No

Unk

**Additions/Alterations/Repairs**

9. Have any additions or alterations been made without required permits?

Yes

No

Unk

10. Are you aware of previous foundation repairs?

Yes

No

Unk

11. Are you aware of any alterations or repairs having been made to correct defects or problems?

Yes

No

Unk

12. Are you aware of any defect or condition affecting the interior or exterior walls, ceilings, slab/foundation, basement/storm cellar, floors, windows, doors, fences or garage?

Yes

No

Unk

13. Has the roof ever been repaired or replaced during your ownership of the property?

Yes

No

Unk

14. Approximate age of roof covering, if known 4 number of layers, if known 1

15. Do you know of any current problems with the roof?

Yes

No

Unk

16. Are you aware of treatment for termite or wood-destroying organism infestation?

Yes

No

Unk

17. Do you have a termite bait system installed on the property?

Yes

No

Unk

18. If yes, is it monitored by a licensed exterminating company?

**(Check one)** \_\_\_yes \_\_\_no Annual cost \$ \_\_\_\_\_

19. Are you aware of any damage caused by termites or wood-destroying organisms?

Yes

No

Unk

20. Are you aware of major fire, tornado, hail, earthquake or wind damage?

Yes

No

Unk

21. Are you aware of problems pertaining to sewer, septic, lateral lines or aerobic system?

Yes

No

Unk

**Environmental**

22. Are you aware of the presence of asbestos?

Yes

No

Unk

23. Are you aware of the presence of radon gas?

Yes

No

Unk

24. Have you tested for radon gas?

Yes

No

Unk

25. Are you aware of the presence of lead-based paint?

Yes

No

Unk

26. Have you tested for lead-based paint?

Yes

No

Unk

27. Are you aware of any underground storage tanks on the property?

Yes

No

Unk

28. Are you aware of the presence of a landfill on the property?

Yes

No

Unk

29. Are you aware of existence of hazardous or regulated materials and other conditions having an environmental impact?

Yes

No

Unk

30. Are you aware of existence of prior manufacturing of methamphetamine?

Yes

No

Unk

31. Have you had the property inspected for mold?

Yes

No

Unk

32. Have you had any remedial treatment for mold on the property?

Yes

No

Unk

33. Are you aware of any condition on the property that would impair the health or safety of the occupants?

Yes

No

Unk

**Property Shared in Common, Easements, Homeowner's Association, Legal**

34. Are you aware of features of the property shared in common with adjoining landowners, such as fences, driveways, and roads whose use or responsibility has an affect on the property?

Yes

No

Unk

35. Other than utility easements serving the property, are you aware of easements or right-of-ways affecting the property?

Yes

No

Unk

Seller's Initials SM

Seller's Initials SM

Buyer's Initials \_\_\_\_\_

Buyer's Initials \_\_\_\_\_

(OREC-7/12)



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36. Are you aware of encroachments affecting the property? Yes ☒ No Unk
37. Are you aware of a mandatory homeowner's association? Yes ☒ No Unk
- Amount of dues \$ \_\_\_\_\_ Special Assessment \$ \_\_\_\_\_
- Payable: (**Check one**) ☐ monthly ☐ quarterly ☐ annually
- Are there unpaid dues or assessments for the Property? (**Check one**) ☐ yes ☐ no
- If yes, amount \$ \_\_\_\_\_ Manager's Name: \_\_\_\_\_
- Phone No. \_\_\_\_\_
38. Are you aware of any zoning, building code or setback requirement violations? Yes ☒ No Unk
39. Are you aware of any notices from any government or government-sponsored agencies or any other entities affecting the property? Yes ☒ No Unk
40. Are you aware of any filed litigation or lawsuit(s), directly or indirectly, affecting the property, including a foreclosure? Yes ☒ No Unk
41. Is the property located in a fire district which requires payment? Yes ☒ No Unk
- Amount of fees \$ \_\_\_\_\_ To Whom Paid \_\_\_\_\_
- Payable (**Check one**) ☐ monthly ☐ quarterly ☐ annually
42. Is the property located in a private utility district? Yes ☒ No Unk
- (**Check applicable**) water ☐ garbage ☐ sewer ☐ other ☐
- If other, explain: \_\_\_\_\_
- Initial membership fee \$ \_\_\_\_\_ annual membership fee \$ \_\_\_\_\_
- (If more than one (1) utility, attach additional pages.)

**Miscellaneous**

43. Are you aware of other defect(s), affecting the property, not disclosed above? Yes ☒ No Unk
44. Are you aware of any other fees or dues required on the property that you have not disclosed? Yes ☒ No Unk

If you answered "YES" to any of the items 1-44 above, list the item number(s) and explain. (If needed, attach additional pages, with your signature(s), date(s) and location of subject property.)

No. 14 Roof Replaced Approx. 4 years Ago.

On the date this form is signed, the seller states that based on seller's **CURRENT ACTUAL KNOWLEDGE** of the property, the information contained above is true and accurate.

Are there any additional pages attached to this disclosure (circle one): Yes No. If yes, how many? \_\_\_\_\_

*Ronald E. Montgomery* *J.D. Montgomery* *Glenda McElhenny*  
 Seller's Signature Ronald E. Montgomery Jerry D. Montgomery Date *11-4-14* Seller's Signature Glenda McElhenny Kathleen Harrington Date *11-4-14*

**A real estate licensee has no duty to the Seller or the Purchaser to conduct an independent inspection of the property and has no duty to independently verify the accuracy or completeness of any statement made by the seller in this disclosure statement.**

The Purchaser understands that the disclosures given by the Seller on this statement is not a warranty of condition. The Purchaser is urged to carefully inspect the property and, if desired, to have the property inspected by a licensed expert. For specific uses, restrictions and flood zone status, contact the local planning, zoning and/or engineering department. The Purchaser acknowledges that the Purchaser has read and received a signed copy of this statement. This completed acknowledgement should accompany an offer to purchase on the property identified. This is to advise that this disclosure statement is not valid after 180 days from the date completed by the Seller.

Purchaser's Signature \_\_\_\_\_ Date \_\_\_\_\_

Purchaser's Signature \_\_\_\_\_ Date \_\_\_\_\_

The disclosure and disclaimer statement forms and the Oklahoma Residential Property Condition Disclosure Act information pamphlet are made available at the Oklahoma Real Estate Commission (OREC), Denver N. Davison Building, 1915 N. Stiles, Suite 200, Oklahoma City, Oklahoma 73105, or visit OREC's Web site [www.orec.ok.gov](http://www.orec.ok.gov).