

## RESIDENTIAL PROPERTY DISCLOSURE STATEMENT

### ACKNOWLEDGEMENT BY SELLER AND PURCHASER

The Virginia Residential Property Disclosure Act (§ 55-517 et seq. of the *Code of Virginia*) requires the owner of certain residential real property—whenever the property is to be sold or leased with an option to buy—to provide notification to the purchaser of any disclosures required by the Act and to refer the purchaser to the Real Estate Board website referenced below for additional information.

Certain transfers of residential property are excluded from this requirement (see § 55-518).

PROPERTY ADDRESS/ 763 CONFUSION ACRES DR., MONETA, 24121

LEGAL DESCRIPTION: CONFUSION ACRES LOT 7

The purchaser is advised to consult the **RESIDENTIAL PROPERTY DISCLOSURE STATEMENT webpage** ([http://www.dpor.virginia.gov/Consumers/Residential\\_Property\\_Disclosures](http://www.dpor.virginia.gov/Consumers/Residential_Property_Disclosures)) for important information about disclosures required by law that may affect the buyer's decision to purchase the real property described above.

**The owner(s) hereby provides notification** as required under the Virginia Residential Property Disclosure Act (§ 55-517 et seq. of the *Code of Virginia*) and, if represented by a real estate licensee as provided in § 55-523, further acknowledges having been informed of the rights and obligations under the Act.

Owner

  
**JAMES K. CORNICK(TRUSTEE)**

Date

10-2-19

Owner

Date

**The purchaser(s) hereby acknowledges receipt of notification** of disclosures as required under the Virginia Residential Property Disclosure Act (§ 55-517 et seq. of the *Code of Virginia*). In addition, if the purchaser is (i) represented by a real estate licensee or (ii) not represented by a real estate licensee but the owner is so represented as provided in § 55-523, the purchaser further acknowledges having been informed of the rights and obligations under the Act.

Purchaser

Date

Purchaser

Date

DPOR rev 07/10/17 v3.11



# ROANOKE VALLEY ASSOCIATION OF REALTORS®



## RESIDENTIAL SEPTIC SYSTEM DISCLOSURE STATEMENT

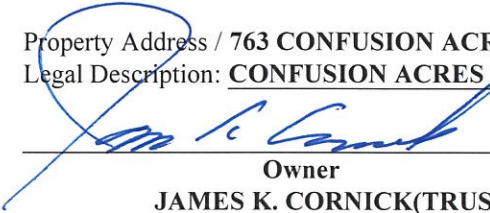
Section 32.1-164.1:1 Code of Virginia provides whenever any onsite sewage system is failing and is on or serves real property consisting of not less than one nor more than four dwelling units and the Board of Health's (Board) regulations for repairing such failing system impose (i) a requirement for treatment beyond the level of treatment provided by the existing onsite sewage system when operating properly or (ii) a new requirement for pressure dosing, the Owner may request a waiver from such requirements. The Commissioner shall grant any request for such waiver, unless he finds that the failing system was installed illegally without a permit. Any such waivers shall be recorded in the land records of the clerk of the circuit court in the jurisdiction in which the property on which the relevant onsite sewage system is located. Waivers granted hereunder shall not be transferable and shall be null and void upon transfer or sale of the property on which the onsite sewage system is located. Additional treatment or pressure dosing requirements shall be imposed in such instances when the property is transferred or sold.

The Owner of the relevant property shall disclose that any operating permit for the onsite sewage system that has been granted a waiver authorized by this subsection shall be null and void at the time of transfer or sale of the property and that the Board's regulatory requirements for additional treatment or pressure dosing shall be required before an operating permit may be reinstated.

The Owner(s) acknowledges that the Broker has informed the Owner of the Owner's rights and obligations with respect to the information above. The Owner(s) certify that they( ) have (X) have not been granted a waiver from the Board. In the event the Owner has been granted a waiver, the Owner shall provide a separate disclosure form that acknowledges such waiver.

Property Address / 763 CONFUSION ACRES DR., MONETA, 24121

Legal Description: CONFUSION ACRES LOT 7

	10-2-19		
Owner	Date	Owner	Date
JAMES K. CORNICK(TRUSTEE)			

**NOTE TO PURCHASER(S):** Pursuant to Section 32.1-164.1:1, the Owner is required to deliver the Disclosure, if applicable, to the Purchaser prior to the acceptance of a real estate purchase contract with respect to the Property. If disclosure is applicable and is delivered to the purchaser after the acceptance of the real estate purchase contract, the purchaser's sole remedy shall be to terminate the real estate purchase contract at or prior to the earliest of the following: (i) three days after delivery of the disclosure in person; (ii) five days after the postmark if the disclosure is deposited in the United States mail, postage prepaid, and properly addressed to the purchaser; (iii) settlement upon purchase of the property; (iv) occupancy of the property by the purchaser; (v) the execution by the purchaser of a written waiver of the purchaser's right of termination under this chapter contained in a writing separate from the real estate purchase contract; or (vi) the purchaser making written application to a lender for a mortgage loan where such application contains a disclosure that the right of termination shall end upon the application for the mortgage loan.

The Purchaser(s) acknowledges that the Broker has informed the Purchaser of the Purchaser's rights and obligations with respect to this disclosure.

Purchaser	Date	Purchaser	Date
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# ROANOKE VALLEY ASSOCIATION OF REALTORS®

## Lake Disclosure



(The Lake Disclosure is recommended for use only with  
RVAR Listing Agreements and Purchase Agreements - Residential & Lot/Land)

Property Address/ **763 CONFUSION ACRES DR., MONETA, 24121**

Legal Description: **CONFUSION ACRES LOT 7** (the "Property").

The guidelines of the Shoreline Management Plan, which can be found at [www.smithmtn.com](http://www.smithmtn.com), are administered by Appalachian Power Company (APCO) for Smith Mountain and Leesville Lakes. The Shoreline Management Plan imposes regulations on the construction, improvement, and rebuilding of structures and vegetation located within the project boundary.

The following checked numbered clauses are made part of the Listing Agreement and shall be made part of the Purchase Agreement.

☐ **1. WATER FRONTAGE:**

Use of all property located below the 800 foot contour for Smith Mountain Lake and 620 foot contour for Leesville Lake may be subject to license from the proper government agencies and the Appalachian Power Company (APCO). Waterfront property is considered property that adjoins the 800 foot contour elevation at Smith Mountain Lake and the 620 foot contour elevation at Leesville Lake (collectively "the Project Boundary.")

Seller represents that the Property (check one):

- ☒ is waterfront property and is contiguous to the Project Boundary of Smith Mountain Lake or Leesville Lake.
- ☐ is not waterfront property but does provide for access by deed or right to the waters of Smith Mountain Lake or Leesville Lake.
- ☐ is not waterfront property and does not provide access to the waters of Smith Mountain Lake or Leesville Lake.

☒ **2. EXISTING STRUCTURE WITHIN PROJECT BOUNDARY**

Seller represents (check one):

- ☒ There is a structure located below the Project Boundary which is appurtenant to the Property. Dock permits issued by APCO must be assigned to Purchaser in order to be valid under the guidelines of the Shoreline Management Plan. If this box is checked complete A-C below.
- ☐ There is a Community or Deeded/Assigned Dock. If this box is checked complete A-C below.
- ☐ There is NOT a structure located below the Project Boundary which is appurtenant to the Property.

**(A) Improvements to Convey** - Included with the sale of the above real estate (if located within said Property at time of signing this agreement) are the following checked items:

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Hoist              | <input type="checkbox"/> Storage / Utility Building |
| <input checked="" type="checkbox"/> Lift               | <input type="checkbox"/> Irrigation Pump            |
| <input type="checkbox"/> Personal Watercraft Lift/Port | <input type="checkbox"/> Other _____                |
| <input checked="" type="checkbox"/> Floater            | <input type="checkbox"/> None                       |

**(B) Dock Type**

- |   |   |  |
|---|---|--|
| <input checked="" type="checkbox"/> Single Family | <input type="checkbox"/> Community Dock | <input type="checkbox"/> Covered Deeded/Assigned Boat Dock # _____   |
| <input type="checkbox"/> Multi-Family/Shared      | <input type="checkbox"/> Other _____    | <input type="checkbox"/> Uncovered Deeded/Assigned Boat Dock # _____ |

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**(C) Structure Status within Project Boundary:**

- ☒ (i) Seller ☒ has or ☐ has not verified the status of structure(s) within the Project Boundary. If verified a copy of the verification is attached hereto.
- ☐ (ii) Seller ☐ does or ☐ does not have knowledge of any pending mitigation required by APCO. If pending mitigation exists, a copy of the requirements are attached hereto.
- ☐ (iii) Common/Community Boat Dock or Seller's deeded/assigned boat slip is not located on Property owned by Seller and APCO will not be notified and verification will not be requested.

☐ **3. INFORMATION REGARDING EXISTING NON-COMFORMING DOCKS**

Docks built prior to August 29, 2003, may not have been built according to the guidelines of the Shoreline Management Plan.

If a dock which was built before August 29, 2003 is destroyed or damaged (as referenced by the Shoreline Management Plan), APCO may or may not allow a property owner, upon receipt of a permit from APCO, to replace a dock within two years of destruction or damage upon the same footprint of the former dock if APCO received, on or before August 31, 2005, Existing Non-Conforming Structure Documentation (ENCSD) which documented the dock as it was built prior to August 29, 2003.

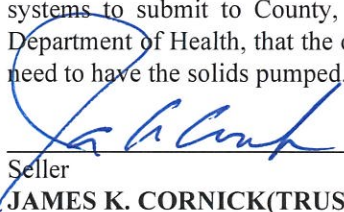
Check appropriate box:

- ☐ (A) Seller certifies ENCSD documents were submitted to APCO and copies are attached hereto.
- ☐ (B) Seller certifies no ENCSD documents were submitted to APCO.
- ☐ (C) Seller certifies they have no knowledge if ENCSD documents were submitted to APCO.

☒ **4. FRANKLIN COUNTY CODE ONLY FOR SEPTIC SYSTEMS WITHIN 500 FEET OF SMITH MOUNTAIN LAKE**

Franklin County and the Virginia Department of Health require all on-site sewage treatment systems with a septic tank or drain fields that are located within 500 feet of the 795 foot contour of the shores of Smith Mountain Lake shall be pumped out at least once every five (5) years.

In lieu of requiring proof of septic tank pump-out every five (5) years, the County may allow owners of onsite sewage treatment systems to submit to County, documentation every five (5) years, certified by a sewage handler permitted by the Virginia Department of Health, that the on-site sewage treatment system has been inspected, is functioning properly, and the tank does not need to have the solids pumped.

 10-2-19  
Seller Date Purchaser Date  
**JAMES K. CORNICK(TRUSTEE)**

\_\_\_\_\_  
Seller Date Purchaser Date

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