

WEST VIRGINIA RESIDENTIAL PROPERTY DISCLAIMER STATEMENT

53 Bobcat Mtn Blvd, Delray, WV

NOTICE TO OWNER(S): Sign this statement only if you elect to sell the property without representations and warranties as to its condition, except as otherwise provided in the contract of sale and in the listing of latent defects set forth below; otherwise, complete and sign the RESIDENTIAL PROPERTY DISCLOSURE STATEMENT.

Except for the latent defects listed below, the undersigned owner(s) of the real property make no representations or warranties as to the condition of the real property or any improvements thereon, and the purchaser will be receiving the real property "as is" with all defects, including latent defects, which may exist, except as otherwise provided in the real estate contract of sale. The owner(s) acknowledge having carefully examined this statement and further acknowledge that they have been informed of their rights and obligations.

The owner(s) has actual knowledge of the following latent defects: _____

Owner Jan An Date 11/10/21
Owner Marilyn E. Horne Date 11/10/21

The purchaser(s) acknowledge receipt of a copy of this disclaimer statement and further acknowledge that they have been informed of their rights and obligations.

Purchaser _____ Date _____
Purchaser _____ Date _____

SELLER DISCLOSURE OF PROPERTY CONDITION

This information in this form is only for the time period the undersigned has owned the property, 3/3/08 to present (11-10-21)
(Date of Purchase) (Date of this Form)

PROPERTY ADDRESS: 53 Bobcat Mtn Blvd, Delray, WV

SELLER'S NAME: Marlin & Jason Hoover

PURPOSE OF STATEMENT: Disclosure is based solely on the seller's observation and knowledge of the property's condition and the improvements thereon. This statement is not a warranty of any kind by the seller or seller's agent and shall not be intended as a substitute for any inspection or warranty the purchaser may wish to obtain.

SELLER'S DISCLOSURE: I/We disclose the following information regarding the property and this information is true and accurate to the best of my/our knowledge as of the date signed. Seller authorizes the agent to provide a copy of this statement to any person or entity in connection with actual or anticipated sale of the property. The following are representations made by seller and are not the representation of the agent. The agent has no independent knowledge of the condition of the property except that which is set out on this form.

PROPERTY INFORMATION, CONDITIONS AND IMPROVEMENTS**A. OWNERSHIP:**

1. Do you currently live in subject property? NO
If not have you ever lived in this property? _____
2. Is property vacant? _____ If so, for how long? _____
3. Are you a builder or developer? _____
4. Are you a licensed real estate agent? _____

ADDITIONAL COMMENTS: Used as a recreational place

B. ENVIRONMENTAL:

1. Is the lawn chemically treated? NO By whom? _____
2. Any excessive noises (airplanes, trains, trucks, etc.)? NO What? _____
3. Any underground storage tanks? _____ Phase one studies completed? _____
Is report available? _____

ADDITIONAL COMMENTS: Septic Tank (1900 gallon) for a 3 bedroom house

C. LAND:

1. Is the house built on landfill (compacted or otherwise)? NO
Is there landfill on any portion of the property? _____
2. Any past or present flooding or drainage problems on the property? NO
3. Any standing water after rain? NO
Any sump pumps in basement or crawlspace? NO Any active springs? NO
(Attach explanation) Is the property located wholly or partly in a Flood Plain Zone, as determined by the National Flood Insurance Maps? NO Current flood insurance premium \$ _____
Any abandoned wells or septic tanks or cisterns? NO Where? _____
4. Has land been mined? NO Explain: _____

ADDITIONAL COMMENTS: _____

D. STRUCTURAL:

1. Approximate age of the house: 32 yrs Name of Builder: _____
2. Do you know of any condition of design or workmanship of the structures that would be considered substandard? _____
Is any portion of the dwelling of any type of construction other than on-site stick built? No X Yes _____ Type of construction _____
Do you know of any structural additions or alterations, or the installation, alteration, repair, or replacement of significant components of the structure completed during the term of your ownership or that of a prior owner? YES Do you know of any violations of government regulations, ordinances, or zoning law regarding this property? NO

Explain: New Metal Roof, Full bathroom, 10x30 deck, Electric, Septic, Well, New Floor, New carpet

3. Do you know of any excessive settling, slippage, sliding or other soil problems, past or present? No
If so, has any structural damage resulted? No If yes, attach explanation.
4. Exterior cover (check) Brick Stone Aluminum Vinyl Cedar Lap Siding
Redwood Fir Others X
Date of last maintenance (paint, etc) 3 years ago
5. Any problems with retaining walls cracking or bulging? No Repaired?
When?
6. Do you know of any past or present problem with driveways, walkways, sidewalks, and patios such as large cracks, potholes, and raised sections? No If so, what was done and by whom?
Explain:
7. Any significant cracks in foundations? No Exterior walls? No Slab floors? No Ceilings? No
Chimneys? No Fireplaces? No Decks? No Garage Floor? Porch Floor? No
Other?
8. Any slanted or uneven floors? No Distorted door frames (uneven spaces between doors and frames)? No
Any sticking windows? No Any sagging ceiling beams or roof rafters? No
9. Is the crawl space damp? No Has a moisture barrier been installed?
Explain:
10. Any moisture in basement? No Corrected? Attach explanation.
11. Any windows or patio door glass broken? No Seals broken in insulated panes?
Fogged?
12. Did you do any improvements yourself? Yes What? Bathroom, 10x30 deck, Floors
13. Do you have hardwood floors under the floor coverings?
14. Is the laundry room in the basement? No First Floor? Second Floor?
Other:

ADDITIONAL COMMENTS:

E. ELECTRICAL SYSTEM:

1. Electric service: 60 amp? 100 amp? 200 amp? X Fuses? Circuit Breaker? X
Rewired? Date:
2. Is the wiring copper? or aluminum?
3. Any damage or malfunctioning receptacles? No Switches? No Fixtures? No
Attach explanation.
4. Are any extension cords stapled to baseboards or underneath carpets or rugs? No
5. Is there GFCI wiring in Kitchen? Yes Bathroom? Yes Garage? For outside TV and TV cable?
6. Are you aware of any defects, malfunctions, or illegal installations or electrical equipment in or outside of house? No
Explain:

ADDITIONAL COMMENTS:

F. INSULATION, HEATING, AIR CONDITIONING, VENTILATION, AND OTHER EQUIPMENT:

1. Type of heating system? Wood Stove Age? 32 years Supplemental heating?
2. Electronic air cleaner? Operable? Humidifier? Operable?
3. Fireplace? Masonry? Insert? Fireplace damper?
Last inspection and cleaning? By whom?
4. Are fuel-consuming heating devices adequately vented to the outside?
5. Type of cooling system? Age? Number of ceiling fans?
Attic Fan?
6. Is clothes dryer vented to outside? Connection for Gas Dryer?
Electric Dryer?
7. Foundation vents? Roof Vents? Attic Vents? Bath Vent fans?
Kitchen Vent fan? Other?
8. Number of Electric garage door openers? Operable? Number of controls?
Operable? Age?

9. Smoke Detectors? Yes How many? 2 Wired to electric system? Yes
 Battery? Yes Operable? Yes
 10. Water softener? No Operable? No
 Burglar alarm? No Make? _____ Operable? _____ R-Rate? _____
 Leased? _____
 11. Is there insulation in: Ceiling? _____ R-Rate? _____ Walls? _____ R-Rate? _____ Floors? _____ R-Rate? _____
 ADDITIONAL COMMENTS: Insulation Board

G. PLUMBING SYSTEM:

1. Source of water supply: Public? _____ Private Well? X Cistern? _____
 If private well, when was water sample last checked for safety? _____ Result of _____
 test? _____ Depth? _____ ft.
 2. Well water pump: _____ Date installed _____ Condition _____
 Sufficient water during late Summer? _____
 3. Type of water supply pipes? Copper? _____ Galvanized? _____ Plastic? X PVC _____ Normal water
 pressure? _____
 4. Are you aware of excessive stains in tubs, lavatories, or sinks? No
 5. Type sewer: City sewer? _____ PSD sewer? _____ Septic tank? No 1,000 gal
 Installation date: 2011 Type material: Fiberglass? _____ Concrete? _____ Steel? _____
 Private treatment plant? _____ Aeration system? _____
 Date of last cleaning? _____ By whom? _____
 6. Type of water heater: Electric? X Gas? _____ LP Gas? _____ Capacity? _____ (gals)
 Age? _____
 7. Are you aware of any slow drains? No
 8. Are there any plumbing leaks around or under: Sinks? No Toilets? No Showers? No
 9. Pool Type: In ground? _____ Above ground? _____ Age? _____
 Pool heater: Electric? _____ Gas? _____ Solar? _____
 Date of last cleaning or inspections? _____

ADDITIONAL COMMENTS: _____

H. APPLIANCES:

Check the following appliances that remain with the property:

1. Range? X Operable? X Age? _____
 2. Countertop range/wall oven? _____ Operable? _____ Age? _____
 3. Hood? X Operable? X Age? _____
 4. Dishwasher? _____ Operable? _____ Age? _____
 5. Disposal? _____ Operable? _____ Age? _____

ADDITIONAL COMMENTS: _____

I. TITLE AND ACCESS:

1. Does anyone have the right to refusal to buy, option, or lease the property? _____ Copy of lease provided to listing
 agent? _____
 2. Is the property currently leased? No Expiration date? _____ Does the lease have option to renew? _____
 3. Do you know of any existing, pending, or potential legal actions concerning the property or the Property Owners
 Association? No Explain: _____
 4. Has a lien been recorded against the property? No Explain: _____
 5. Do you own the mineral rights? _____ Leased to _____ For how long? _____
 6. Any bonds, assessments, or judgments which are liens upon the property or which limits its use? No
 7. Any boundary disputes, or third party claims affecting the property rights of the other people to interfere with the use of
 the property in any way? No Attach explanation: _____
 8. Any deed restrictions? No Any right-of-way or easements? No Protective covenants? _____
 9. Copy of deed has been provided to listing agent? _____

ADDITIONAL COMMENTS:

J. ROOF, GUTTER, DOWNSPOUTS:

1. Type of Roof: Shingle? _____ Wood Shingle? _____ Slate? _____ Rolled rubber? _____ Other? metal
 Age of Roof? 8 yrs
 2. Has the roof been resurfaced? X Replaced? _____ If so, what year? 2013
 Installed by whom? Mountain State Enterprises
 3. Has the roof ever leaked during your ownership? No
 If so, how was it corrected? _____
 4. Are gutters and downspouts in good condition and free of holes and excessive rust? yes
 5. Do downspouts lead from structure? _____ Into storm drain? _____ Splash blocks? _____
 Sewer? _____

ADDITIONAL COMMENTS:

K. REPORTS:

Have you received or do you have knowledge of any of the following inspection reports or repair estimates (written or otherwise) made during or prior to your ownership: Roof? _____ Air conditioning? _____ Furnace? _____
 Soils/Drainage? _____ Structural? _____ Well? _____ Radon? _____ Pest Control? _____
 Geological/Core Drilling? _____ Lead based paint? _____ Asbestos? _____ Septic Tank/Sewer
 System? _____ Formaldehyde? _____ Pool/Spa? _____ Home Inspection? _____ Energy Audit? _____
 City/County Inspection? _____ Notice of Violation? _____ Other? _____ Attach explanation and
 copies of reports. _____

L. UTILITIES:

Gas Company _____ Gas Budget _____
 Electric Company Potomac Edison Elec. Budget \$5-25
 Water Company _____ Average Water Bill _____
 Sewage Company _____
 Trash Company _____ Trash Cost _____
 TV Cable Company _____
 Satellite Company _____

M. OTHER DISCLOSURES

In addition to the disclosure statements made herein, the following facts are known or suspected by me (us) which may materially affect the values or desirability of the subject property, now or in the future (burial sites, murder, suicide, sex offender, etc.): _____

The foregoing answer and explanations are true and complete to the best of my/our knowledge, I/We have authorized WV Land & Home Realty, the broker in this transaction to disclose the information set forth above to other real estate brokers, real estate agents, and prospective buyers of the property. SELLER AGREES to hold harmless all brokers and agents in the transaction and to defend and indemnify them from any claim, demand, action or proceedings resulting from any omission or alleged omission by Seller in this Disclosure Statement.

This PROPERTY CONDITION DISCLOSURE STATEMENT consists of 4 pages, with attachments.

SELLER: [Signature] SELLER: Marilyn E. Hoover DATE: 11/10/21

I have received a copy of the PROPERTY CONDITION DISCLOSURE STATEMENT:

BUYER: _____ BUYER: _____ DATE: _____

NOTICE OF AGENCY RELATIONSHIP

When working with a real estate agent in buying or selling real estate, West Virginia Law requires that you be informed of whom the agent is representing in the transaction.

The agent may represent the seller, the buyer, or both. The party represented by the agent is known as the agent's principal and as such, the agent owes the principal the duty of utmost care, integrity, honesty and loyalty.

Regardless of whom they represent, the agent has the following duties to both the buyer and the seller in any transaction:

- Diligent exercise of reasonable skill and care in the performance of the agent's duties.
- A duty of honest and fair dealing and good faith.
- Must offer all property without regard to race, color, religion, sex, ancestry, physical or mental handicap, national origin or familial status.
- Must promptly present all written offers to the owner.
- Provide a true legible copy of every contract to each person signing the contract.

The agent is not obligated to reveal to either party any confidential information obtained from the other party which does not involve the affirmative duties set forth above.

Should you desire to have a real estate agent represent you as your agent, you should enter into a written contract that clearly establishes the obligations of both parties. If you have any questions about the roles and responsibilities of a real estate agent, they can provide information upon your request.

In compliance with the Real Estate Brokers License Act of West Virginia, all parties are hereby notified that

(printed name of agent) Sandra Hunt affiliated with

(firm name) WEST VIRGINIA LAND & HOME REALTY, LLC is acting as an agent of:

☒ The Seller, as listing agent or subagent. ☐ The Buyer, as the Buyer's agent.
☐ Both Seller & Buyer, with the full knowledge & consent of both parties.

CERTIFICATION

By signing below, the parties certify that they have read and understand the information contained in this disclosure and have been provided with signed copies prior to signing any contract.

<u>Jean Hon</u>	<u>11/10/21</u>		
Seller	Date	Buyer	Date
<u>Marlene E. Honer</u>	<u>11/10/21</u>		
Seller	Date	Buyer	Date
Seller	Date	Buyer	Date

I certify that I have provided the above named individuals with a copy of this form prior to signing any contract.

WV Real Estate Commission

300 Capitol Street, Suite 400

Charleston, WV 25301

(304)348-3555

Agent's Signature

Date

Sandra Hunt
11-10-21

www.wvrec.org



This form has been promulgated by the WVREC for required use by all West Virginia real estate licensees.