

Aspen/Pitkin County Housing Authority
530 East Main St., Lower Level
Aspen, CO 81611
Phone: 970-920-5054, Fax: 970-920-5580

The printed portions of this form, except differentiated additions, have been approved by the Colorado Real Estate Commission. (SPD29-5-09) (Mandatory 7-09)

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 the best of Seller's CURRENT ACTUAL KNOWLEDGE as of this Date. Any changes will be disclosed by Seller to Buyer promptly after discovery. Seller hereby receipts for a copy of this Disclosure. 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 L. Broker may deliver a copy of this Disclosure to prospective buyers.

Note: If an item is not present at the Property or if an item is not to be included in the sale, mark the "N/A" Column. The Contract to Buy and Sell Real Estate, not this Disclosure form, determines whether an item is included or excluded; if there is an inconsistency between this form and the Contract, the Contract controls.

Date: n/a

Property Address:

n/a

Seller:

I. IMPROVEMENTS

I. IMPROVEMENTS						
A.	STRUCTURAL CONDITIONS Do any of the following conditions now exist or have they ever existed:	Yes	No	Do Not Know	N/A	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 or flood					
5	Cracks, heaving or settling problems					
6	Exterior wall or window problems					
7	Exterior Artificial Stucco (EIFS)					
8	Any additions or alterations made					
9	Building code, city or county violations					
B.	ROOF	Yes	No	Do Not Know	N/A	Comments
1	Roof problems					
2	Roof material _____ Age _____ Roof material _____ Age _____					
3	Roof leak: Past					
4	Roof leak: Present					
5	Damage to roof: Past					
6	Damage to roof: Present					
7	Roof under warranty until _____ . Transferable					
8	Roof work done while under current roof warranty					
9	Skylight problems					
10	Gutter or downspout problems					

PREPARED BY: Pamela Gabel, Sales Manager

SPD 29-5-09, SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL). Colorado Real Estate Commission

RealFA\$T® Software, ©2009, Version 6.16. Software Registered to: Cindy Christensen, Aspen/Pitkin County Housing Authority

Buyer(s) _____

06/26/09 09:40:45

Page 1 of 7
Seller(s) _____

		IN WORKING CONDITION					
C.	APPLIANCES	Yes	No	Do Not Know	Age If Known	N/A	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						

		IN WORKING CONDITION					
D.	ELECTRICAL & TELECOMMUNICATIONS	Yes	No	Do Not Know	Age If Known	N/A	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	Aluminum wiring (110)						
7	Electrical: _____ Amps _____						
8	Telecommunications (T1, fiber, cable, satellite)						
9	Inside telephone wiring & blocks/jacks						
10	Ceiling fans						
11	Garage door opener						
12	Garage door control(s) #						
13	Intercom/doorbell						
14	In-wall speakers						
15	220 volt service						
16	Landscape lighting						

		IN WORKING CONDITION					
E.	MECHANICAL	Yes	No	Do Not Know	Age If Known	N/A	Comments
1	Air conditioning:						
	Evaporative cooler						
	Window units						
	Central						
2	Attic/whole house fan						
3	Vent fans						
4	Humidifier						

PREPARED BY: Pamela Gabel, Sales Manager

SPD 29-5-09, SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL). Colorado Real Estate Commission

ReaFA\$T® Software, ©2009, Version 6.16. Software Registered to: Cindy Christensen, Aspen/Pitkin County Housing Authority

Buyer(s) _____

06/26/09 09:40:45

		IN WORKING CONDITION					
E.	MECHANICAL (Continued)	Yes	No	Do Not Know	Age If Known	N/A	Comments
5	Air purifier						
6	Sauna						
7	Hot tub or spa						
8	Steam room/shower						
9	Pool						
10	Heating system:						
	Type _____ Fuel _____						
	Type _____ Fuel _____						
11	Water heater: Number of _____						
	Fuel type _____ Capacity _____						
12	Fireplace: Type _____ Fuel _____						
13	Fireplace insert						
14	Stove: Type _____ Fuel _____						
15	When was fireplace/wood stove, chimney/flue last cleaned: Date: _____						
	<input type="checkbox"/> Do not know						
16	Fuel tanks: <input type="checkbox"/> Owned <input type="checkbox"/> Leased						
17	Radiant heating system <input type="checkbox"/> Interior						
	<input type="checkbox"/> Exterior						
	Hose Type _____						
18	Overhead door						
19	Entry gate system						
20	Elevator						

		IN WORKING CONDITION					
F.	WATER, SEWER & OTHER UTILITIES	Yes	No	Do Not Know	Age If Known	N/A	Comments
1	Water filter system: <input type="checkbox"/> Owned <input type="checkbox"/> Leased						
2	Water softener: <input type="checkbox"/> Owned <input type="checkbox"/> Leased						
3	Sewage problems: <input type="checkbox"/> Yes <input type="checkbox"/> No						
	<input type="checkbox"/> Do not know						
4	Lift station (sewage ejector pump)						
5	Drainage, storm sewers, retention ponds						
6	Grey water storage/use						
7	Plumbing problems <input type="checkbox"/> Yes <input type="checkbox"/> No						
	<input type="checkbox"/> Do not know						
8	Sump Pump						
9	Underground sprinkler system						
10	Fire sprinkler system						
11	Polybutylene pipe:						
	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know						
12	Galvanized pipe:						
	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Do not know						
13	Backflow prevention device:						
	<input type="checkbox"/> Domestic <input type="checkbox"/> Irrigation <input type="checkbox"/> Fire						
	<input type="checkbox"/> Sewage						
14	Irrigation pump						
15	Well pump						

PREPARED BY: Pamela Gabel, Sales Manager

SPD 29-5-09, SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL). Colorado Real Estate Commission

RealFA\$T® Software, ©2009, Version 6.16. Software Registered to: Cindy Christensen, Aspen/Pitkin County Housing Authority

Buyer(s) _____

06/26/09 09:40:45

G. OTHER DISCLOSURES - IMPROVEMENTS		Yes	No	Do Not Know	N/A	Comments
1	Included fixtures and equipment in working condition					

II. GENERAL

H. USE, ZONING & LEGAL ISSUES		Yes	No	Do Not Know	N/A	Comments
1	Zoning violation, variance, conditional use, enforceable PUD or non-conforming use					
2	Notice or threat of condemnation proceedings					
3	Notice of any adverse conditions from any governmental or quasi-governmental agency that have not been resolved					
4	Violation of restrictive covenants or owners' association rules or regulations					
5	Any building or improvements constructed within the past one year from this Date without approval by the Association or the designated approving body					
6	Notice of zoning action related to the Property					
7	Other legal action					

I. ACCESS, PARKING, DRAINAGE & SIGNAGE		Yes	No	Do Not Know	N/A	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	Flooding or drainage problems: Past					
9	Flooding or drainage problems: Present					

PREPARED BY: Pamela Gabel, Sales Manager

SPD 29-5-09, SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL). Colorado Real Estate Commission

RealFA\$T® Software, ©2009, Version 6.16. Software Registered to: Cindy Christensen, Aspen/Pitkin County Housing Authority

Buyer(s) _____

06/26/09 09:40:45

J. WATER & SEWER SUPPLY		Yes	No	Do Not Know	N/A	Comments
1	Water Rights: Type					
2	Water tap fees paid in full					
3	Sewer tap fees paid in full					
4	Subject to augmentation plan					
5	Well required to be metered					
6	Type of water supply: <input 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 #: _____ <input type="checkbox"/> 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: _____ Address: _____ Web Site: _____ Phone No.: _____ <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.					
7	Type of sanitary sewer service: Public Community Septic System None Other _____ If the Property is served by an on-site septic system, supply to buyer a copy of the permit. Type of septic system: <input type="checkbox"/> Tank <input type="checkbox"/> Leach <input type="checkbox"/> Lagoon					
K. ENVIRONMENTAL CONDITIONS		Yes	No	Do Not Know	N/A	Comments
Do any of the following conditions now exist or have they ever existed:						
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	Pets kept on the Property					
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 of 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	Property used for any mining, graveling, or other natural resource extraction operations such as oil and gas wells					
15	Interior of Improvements of Property Tobacco Smoke-free					
16	Other environmental problems					

L.	COMMON INTEREST COMMUNITY - ASSOCIATION PROPERTY	Yes	No	Do Not Know	N/A	Comments
1	Property is part of an owners' association					
2	Special assessments or increases in regular assessments approved by owners' association but not yet implemented					
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).					

M.	OTHER DISCLOSURES - GENERAL	Yes	No	Do Not Know	N/A	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					

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 form is **not** intended as a substitute for an inspection of the Property.

ADVISORY TO SELLER:

Failure to disclose a known material defect may result in legal liability.

The information contained in this Disclosure has been furnished by Seller, who certifies to the truth thereof based on Seller's CURRENT ACTUAL KNOWLEDGE.

SELLER _____ **DATE** _____

ADVISORY TO BUYER:

1. Even though Seller has answered the above questions to the best of 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;
- 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 the best of "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

PREPARED BY: Pamela Gabel, Sales Manager

SPD 29-5-09, SELLER'S PROPERTY DISCLOSURE (RESIDENTIAL). Colorado Real Estate Commission
 RealFA\$T® Software, ©2009, Version 6.16. Software Registered to: Cindy Christensen, Aspen/Pitkin County Housing Authority

Buyer(s) _____

06/26/09 09:40:45

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. Buyer acknowledges that Seller does not warrant that the Property is fit for Buyer's intended purposes or use of the Property. Buyer acknowledges that Seller's indication that an item is "working" 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 hereby receipts for a copy of this Disclosure.

BUYER _____ **DATE** _____