

**SELLER DISCLOSURE OF PROPERTY CONDITION**

This information in this form is only for the time period the undersigned has owned the property, \_\_\_\_\_

2-8-2019 to 4-19-2021  
(Date of Purchase) (Date of this Form)

PROPERTY ADDRESS: 628 BLUE OAK Drive Macleod wa 26836

SELLER'S NAME: Michael E. & Julia W. Kocart

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? yes
- 2. Is property vacant? yes If so, for how long? \_\_\_\_\_
- 3. Are you a builder or developer? no
- 4. Are you a licensed real estate agent? no

ADDITIONAL COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

**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? no Phase one studies completed? \_\_\_\_\_  
Is report available? \_\_\_\_\_

ADDITIONAL COMMENTS: \_\_\_\_\_  
\_\_\_\_\_

**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? \_\_\_\_\_  
(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: 6 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  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? no Do you know of any violations of government regulations, ordinances, or zoning law regarding this property? no

Explain: \_\_\_\_\_

- 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? \_\_\_\_\_ If yes, attach explanation.
- 4. Exterior cover (check) Brick \_\_\_\_\_ Stone \_\_\_\_\_ Aluminum \_\_\_\_\_ Vinyl \_\_\_\_\_ Cedar \_\_\_\_\_ Lap Siding   
Redwood \_\_\_\_\_ Fir \_\_\_\_\_ Others   
Date of last maintenance (paint, etc) \_\_\_\_\_
- 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? no
- 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? yes  
Explain: \_\_\_\_\_
- 10. Any moisture in basement? no Corrected? \_\_\_\_\_ Attach explanation.
- 11. Any windows or patio door glass broken? no Seals broken in insulated panes? no  
Fogged? no
- 12. Did you do any improvements yourself? \_\_\_\_\_ What? \_\_\_\_\_
- 13. Do you have hardwood floors under the floor coverings? \_\_\_\_\_
- 14. Is the laundry room in the basement? \_\_\_\_\_ First Floor?  Second Floor? \_\_\_\_\_  
Other: \_\_\_\_\_

ADDITIONAL COMMENTS: \_\_\_\_\_

**E. ELECTRICAL SYSTEM:**

- 1. Electric service: 60 amp? \_\_\_\_\_ 100 amp? \_\_\_\_\_ 200 amp? \_\_\_\_\_ Fuses? \_\_\_\_\_ Circuit Breaker? \_\_\_\_\_  
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? \_\_\_\_\_ Age? \_\_\_\_\_ Supplemental heating? \_\_\_\_\_
- 2. Electronic air cleaner? \_\_\_\_\_ Operable? \_\_\_\_\_ Humidifier? yes Operable? \_\_\_\_\_
- 3. Fireplace? yes 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? 3  
Attic Fan? \_\_\_\_\_
- 6. Is clothes dryer vented to outside? \_\_\_\_\_ Connection for Gas Dryer? \_\_\_\_\_  
Electric Dryer? yes
- 7. Foundation vents? yes Roof Vents? yes Attic Vents? \_\_\_\_\_ Bath Vent fans? yes  
Kitchen Vent fan? yes 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? ✓ Operable? \_\_\_\_\_
- 10. Water softener? ✓ Operable? \_\_\_\_\_  
 Burglar alarm? \_\_\_\_\_ Make? \_\_\_\_\_ Operable? \_\_\_\_\_ R-Rate? \_\_\_\_\_  
 Leased? \_\_\_\_\_
- 11. Is there insulation in: Ceiling? \_\_\_\_\_ R-Rate? \_\_\_\_\_ Walls? ✓ R-Rate? \_\_\_\_\_ Floors? ✓ R-Rate? \_\_\_\_\_

ADDITIONAL COMMENTS: \_\_\_\_\_

**G. PLUMBING SYSTEM:**

- 1. Source of water supply: Public? \_\_\_\_\_ Private Well? ✓ 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? \_\_\_\_\_ 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? ✓  
 Installation date: \_\_\_\_\_ Type material: Fiberglass? ✓ Concrete? ✓ Steel? \_\_\_\_\_  
 Private treatment plant? \_\_\_\_\_ Aeration system? \_\_\_\_\_  
 Date of last cleaning? Summer 2020 By whom? M & M
- 6. Type of water heater: Electric? ✓ 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: one small area of dry rot in wall during  
very wet weather but dries up once wet season is over.

**H. APPLIANCES:**

Check the following appliances that remain with the property:

- 1. Range? ✓ Operable? \_\_\_\_\_ Age? \_\_\_\_\_
- 2. Countertop range/wall oven? \_\_\_\_\_ Operable? \_\_\_\_\_ Age? \_\_\_\_\_
- 3. Hood? ✓ Operable? \_\_\_\_\_ 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? no 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? yes
- 9. Copy of deed has been provided to listing agent? yes

ADDITIONAL COMMENTS:

J. ROOF, GUTTER, DOWNSPOUTS:

- 1. Type of Roof: Shingle? \_\_\_\_\_ Wood Shingle? \_\_\_\_\_ Slate? \_\_\_\_\_ Rolled rubber? \_\_\_\_\_ Other? \_\_\_\_\_  
Age of Roof? metal
- 2. Has the roof been resurfaced? \_\_\_\_\_ Replaced? \_\_\_\_\_ If so, what year? \_\_\_\_\_  
Installed by whom? \_\_\_\_\_
- 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? yes Into storm drain? no 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 \$ 45  
Water Company \_\_\_\_\_ Average Water Bill \_\_\_\_\_  
Sewage Company \_\_\_\_\_  
Trash Company \_\_\_\_\_ Trash Cost \_\_\_\_\_  
TV Cable Company Direct TV  
Satellite Company S

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 Keema Shukhria, 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: Michael Kautz SELLER: Jane Kautz DATE: 4-19-2021

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) Keenan Shimboltz 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.			
4/19/2021			
<u>[Signature]</u> Seller	Date	Buyer	Date
	4/19/2021		
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 [Signature]  
 Date 4-19-2021

[www.wvrec.org](http://www.wvrec.org)



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