

Keller Williams Arizona Realty

RESIDENTIAL SELLER'S PROPERTY

DISCLOSURE STATEMENT (SPDS)

(TO BE COMPLETED BY SELLER)



The printed portion of this FORM has been approved by the Arizona Association of Realtors®. This is NOT intended to be a binding contract.

MESSAGE TO THE SELLER:

Sellers are obligated by law to disclose all known material (important) facts about the Property to the Buyer. The SPDS is designed to assist you in making these disclosures. If you know something important about the Property that is not addressed on the SPDS, add that information to the form. Prospective Buyers may rely on the information you provide.

INSTRUCTIONS: (1) Complete this form yourself. (2) Answer all questions truthfully and as fully as possible. (3) Attach all available supporting documentation. (4) Use explanation lines as necessary. (5) If you do not have the personal knowledge to answer a question, use the explanation lines to explain. By signing below you acknowledge that the failure to disclose known material information about the Property may result in liability.

MESSAGE TO THE BUYER:

Although Sellers are obligated to disclose all known material (important) facts about the Property, there are likely facts about the Property that the Sellers do not know. Therefore, it is important that you take an active role in obtaining information about the Property.

INSTRUCTIONS: (1) Review this form and any attachments carefully. (2) Verify all important information. (3) Ask about any incomplete or inadequate responses. (4) Inquire about any concerns not addressed on the SPDS. (5) Review all other applicable documents, such as CC&R's, association bylaws, rules, and the title report or commitment. (6) Obtain professional inspections of the Property. (7) Investigate the surrounding area.

THE FOLLOWING ARE REPRESENTATIONS OF THE SELLER(S) AND ARE NOT VERIFIED BY THE BROKER(S) OR AGENT(S).

OWNERSHIP AND PROPERTY

- As used herein, "Property" shall mean the real property and all fixtures and improvements thereon and appurtenances incidental thereto, plus fixtures and personal property described in the Contract.

3. **PROPERTY ADDRESS:** 7298 E Sunset Sky Circle Scottsdale AZ 85266
(STREET ADDRESS) (CITY) (STATE) (ZIP)

4. Is the Property located in an unincorporated area of the county? Yes No If yes, and five or fewer parcels of land other than subdivided

5. land are being transferred, the Seller must furnish the Buyer with a written Affidavit of Disclosure in the form required by law.

6. **LEGAL OWNER(S) OF PROPERTY:** ANDREW W. + PATRICIA M. ALLEN Date Purchased: 1/2000

7. Is the legal owner(s) of the Property a foreign person or a non-resident alien pursuant to the Foreign Investment in Real Property

8. Tax Act (FIRPTA)? Yes No If yes, consult a tax advisor; mandatory withholding may apply.

9. Is the property located in a community defined by the fair housing laws as housing for older persons? Yes No

10. Explain: _____

11. Approximate year built: 100. If Property was built prior to 1978, Seller must furnish the Buyer with a lead-based paint disclosure form.

12. **NOTICE TO BUYER: IF THE PROPERTY IS IN A SUBDIVISION, A PUBLIC REPORT, WHICH CONTAINS A VARIETY OF INFORMATION ABOUT THE SUBDIVISION AT THE TIME THE SUBDIVISION WAS APPROVED, MAY BE AVAILABLE BY CONTACTING THE ARIZONA DEPARTMENT OF REAL ESTATE OR THE HOMEBUILDER. THE PUBLIC REPORT INFORMATION MAY BE OUTDATED.**

15. The Property is currently: Owner-occupied Leased Estate Foreclosure Vacant If vacant, how long? _____

16. If a rental property, how long? N/A Expiration date of current lease: _____ (Attach a copy of the lease if available.)

17. If any refundable deposits or prepaid rents are being held, by whom and how much? Explain: N/A

18. _____

YES NO

19. Have you entered into any agreement to transfer your interest in the Property in any way, including rental renewals or options to purchase? Explain: _____

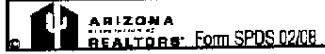
21. Are you aware if there are any association(s) governing this Property?
 If yes, provide contact(s) information: Name: _____ Phone #: _____

23. If yes, are there any fees? How much? \$ _____ How often? _____

24. Are you aware of any transfer fees or other fees due upon transfer of the Property? Explain: _____

25. I think Winfield assesses a transfer fee.

Initials: _____ BUYER BUYER



26. YES NO Are you aware of any proposed or existing association assessment(s)? Explain: \$2500 for roofing repairs - to be assessed in 2010
27. YES NO Are you aware of any pending or anticipated disputes or litigation regarding the Property or the association(s)? Explain: _____
28. YES NO Are you aware of any of the following recorded against the Property? (Check all that apply):
 29. Judgment liens Tax liens Other non-consensual liens
 30. Explain: _____
31. YES NO Are you aware of any assessments affecting this Property? (Check all that apply):
 32. Paving Sewer Water Electric Other _____
 33. Explain: _____
34. YES NO Are you aware of any title issues affecting this Property? (Check all that apply):
 35. Recorded easements Use restrictions Lot line disputes Encroachments
 36. Unrecorded easements Use permits Other _____
 37. Explain: _____
38. YES NO Are you aware of any public or private use paths or roadways on or across this Property?
 39. Explain: _____
40. YES NO Are you aware of any problems with legal or physical access to the Property? Explain: _____
41. The road/street access to the Property is maintained by the County City Homeowners' Association Privately
 42. If privately maintained, is there a recorded road maintenance agreement? Explain: _____
43. YES NO Are you aware of any violation(s) of any of the following? (Check all that apply):
 44. Zoning Building Codes Utility Service Sanitary health regulations
 45. Covenants, Conditions, Restrictions (CC&R's) Other _____ (Attach a copy of notice(s) of violation if available.)
 46. Explain: _____
47. YES NO Are you aware of any homeowner's insurance claims having been filed against the Property?
 48. Explain: _____

52. NOTICE TO BUYER: YOUR CLAIMS HISTORY, YOUR CREDIT REPORT, THE PROPERTY'S CLAIMS HISTORY
 53. AND OTHER FACTORS MAY AFFECT THE INSURABILITY OF THE PROPERTY AND AT WHAT COST. UNDER
 54. ARIZONA LAW, YOUR INSURANCE COMPANY MAY CANCEL YOUR HOMEOWNER'S INSURANCE WITHIN 60
 55. DAYS AFTER THE EFFECTIVE DATE. CONTACT YOUR INSURANCE COMPANY.

BUILDING AND SAFETY INFORMATION

56. YES NO
57. YES NO **STRUCTURAL:** Are you aware of any past or present roof leaks? Explain: About 2 yrs. ago - repaired by HOA -> no addl problems
58. YES NO Are you aware of any other past or present roof problems? Explain: _____
59. YES NO Are you aware of any roof repairs? Explain: see 57
60. YES NO Is there a roof warranty? (Attach a copy of warranty if available.)
 61. If yes, is the roof warranty transferable? Cost to transfer _____
62. **NOTICE TO BUYER: CONTACT A PROFESSIONAL TO VERIFY THE CONDITION OF THE ROOF.**
63. YES NO Are you aware of any interior wall/ceiling/door/window/floor problems? Explain: NO
64. YES NO Are you aware of any cracks or settling involving the foundation, exterior walls or slab? Explain: _____
65. YES NO Are you aware of any chimney or fireplace problems, if applicable? Explain: _____

Initials: _____ BUYER _____ BUYER _____



- 72. YES NO
- 73. YES NO
- 74. YES NO

Are you aware of any damage to any structure on the Property by any of the following? (Check all that apply):

Flood Fire Wind Expansive soil(s) Water Hail Other _____

Explain: _____

- 75. YES NO
- 76. YES NO
- 77. YES NO
- 78. YES NO
- 79. YES NO
- 80. YES NO

WOOD INFESTATION

Are you aware of any of the following:

Past presence of termites or other wood destroying organisms on the Property?

Current presence of termites or other wood destroying organisms on the Property?

Past or present damage to the Property by termites or other wood destroying organisms?

Explain: _____

- 81. YES NO
- 82. YES NO
- 83. YES NO
- 84. YES NO
- 85. YES NO
- 86. YES NO

Are you aware of past or present treatment of the Property for termites or other wood destroying organisms?

If yes, date last treatment was performed: _____

Name of treatment provider: Grand Canyon Pest 602-788-0700

Is there a treatment warranty? (Attach a copy of warranty if available) Attached

If yes, is the treatment warranty transferrable?

NOTICE TO BUYER: CONTACT STATE OF ARIZONA STRUCTURAL PEST CONTROL COMMISSION FOR PAST TERMITE REPORTS OR TREATMENT HISTORY.

- 89. YES NO
- 90. YES NO
- 91. YES NO
- 92. YES NO
- 93. YES NO

HEATING & COOLING:

Heating: Type(s) Gas Heat

Cooling: Type(s) air conditioner

Are you aware of any past or present problems with the heating or cooling system(s)?

Explain: _____

- 94. YES NO
- 95. YES NO
- 96. YES NO
- 97. YES NO
- 98. YES NO
- 99. YES NO

PLUMBING:

Are you aware of the type of water pipes, such as galvanized, copper, PVC, CPVC or polybutylene?

If yes, identify: _____

Are you aware of any past or present plumbing problems? Explain: _____

Are you aware of any water pressure problems? Explain: _____

Type of water heater(s): Gas Electric Solar Approx. age(s): _____

Are you aware of any past or present water heater problems? Explain: _____

Is there a landscape watering system? If yes, type: automatic timer manual both

If yes, are you aware of any past or present problems with the landscape watering system?

Explain: _____

Are there any water treatment systems? (Check all that apply):

water filtration reverse osmosis water softener Other _____

Is water treatment system(s) owned leased (Attach a copy of lease if available.)

Are you aware of any past or present problems with the water treatment system(s)?

Explain: _____

- 111. YES NO
- 112. YES NO
- 113. YES NO
- 114. YES NO
- 115. YES NO
- 116. YES NO

SWIMMING POOL/SPA/HOT TUB/SAUNA/WATER FEATURE:

Does the Property contain any of the following? (Check all that apply):

Swimming pool Spa Hot tub Sauna Water feature

If yes, are either of the following heated? Swimming pool Spa If yes, type of heat: _____

Are you aware of any past or present problems relating to the swimming pool, spa, hot tub, sauna or water feature?

Explain: _____



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YES NO

ELECTRICAL AND OTHER RELATED SYSTEMS:

- 117. Are you aware of any past or present problems with the electrical system? Explain: _____
- 118. Is there a security system? If yes, is it (Check all that apply):
 Leased (Attach copy of lease if available) Owned Monitored Other
- 119. Are you aware of any past or present problems with the security system? Explain: _____
- 120. *N/A*
- 121. Does the Property contain any of the following systems or detectors? (Check all that apply):
 Smoke/fire detection Fire suppression (sprinklers) Carbon monoxide detector
- 122. If yes, are you aware of any past or present problems with the above systems? Explain: _____
- 123. _____
- 124. _____
- 125. _____
- 126. _____
- 127. _____

MISCELLANEOUS:

- 128. Are you aware of or have you observed any of the following on the Property? (Check all that apply):
 Scorpions Rabid animals Bee swarms Rodents Reptiles Other: *@ 2005*
- 129. Explain: *Saw 1 Scorpion in 2000 - Never seen; saw baby Rattlesnake - had someone*
- 130. How often is the Property serviced or treated for pests, reptiles, insects or animals? *once/month come take*
- 131. Name of service provider: *Grand Canyon Pests* Date of last service: *9/16/09*
- 132. Are you aware of any work done on the Property, such as building, plumbing, electrical or other improvements?
away
- 133. (If no, skip to line 144.)
- 134. Explain: _____
- 135. Are you aware of any rooms added to the Property or converted to bedrooms?
- 136. Were permits for the work required? Explain: _____
- 137. If yes, were permits for the work obtained? Explain: _____
- 138. Was the work performed by a person licensed to perform the work? Explain: _____
- 139. Was approval for the work required by any association governing the property? Explain: _____
- 140. If yes, was approval granted by the association? Explain: _____
- 141. Was the work completed? Explain: _____
- 142. Are there any security bars or other obstructions to door or window openings? Explain: _____
- 143. Are you aware of any past or present problems with any built-in appliances? Explain: _____
- 144. _____
- 145. Are there any leased propane tanks, equipment or other systems on the Property? Explain: _____
- 146. _____
- 147. _____
- 148. _____

UTILITIES

DOES THE PROPERTY CURRENTLY RECEIVE THE FOLLOWING SERVICES?

- | 149. | YES | NO | | PROVIDER |
|------|-------------------------------------|--------------------------|--|----------------------------|
| 150. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Electricity: _____ | <i>APS</i> |
| 151. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Fuel: <input checked="" type="checkbox"/> Natural gas <input type="checkbox"/> Propane <input type="checkbox"/> Oil | <i>Southwest Gas Corp.</i> |
| 152. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Cable: _____ | <i>COX Cable</i> |
| 153. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Telephone: _____ | <i>Quest</i> |
| 154. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Garbage Collection: _____ | <i>City of Scottsdale</i> |
| 155. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Fire: _____ | <i>City of Scottsdale</i> |
| 156. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Irrigation: <i>-water</i> | <i>City of Scottsdale</i> |
| 157. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Water Source: <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private water co. <input type="checkbox"/> Private well <input type="checkbox"/> Shared well <input type="checkbox"/> Hauled water | |
| 158. | | | If water source is a private or shared well, complete and attach DOMESTIC WATER WELL/WATER USE ADDENDUM. | |
| 159. | | | If source is public, a private water company, or hauled water, Provider is: <i>City of Scottsdale</i> | |
| 160. | | | NOTICE TO BUYER: IF THE PROPERTY IS SERVED BY A WELL, PRIVATE WATER COMPANY OR A | |
| 161. | | | MUNICIPAL WATER PROVIDER, THE ARIZONA DEPARTMENT OF WATER RESOURCES MAY NOT HAVE MADE | |
| 162. | | | A WATER SUPPLY DETERMINATION. FOR MORE INFORMATION ABOUT WATER SUPPLY, | |
| 163. | | | CONTACT THE WATER PROVIDER. | |

Initials: _____ BUYER BUYER



- 164. YES NO
- 165.
- 166. YES NO
- 167.
- 168.
- 169.

Are you aware of any past or present drinking water problems? Explain: _____

Are there any alternate power systems serving the Property? If yes, indicate type (Check all that apply):
 Solar Wind Generator Other _____
 if yes, are you aware of any past or present problems with the alternate power system(s)? Explain: _____

ENVIRONMENTAL INFORMATION

- 170. YES NO
- 171.
- 172. YES NO
- 173.
- 174.
- 175.
- 176.
- 177.
- 178.
- 179.
- 180. YES NO
- 181.
- 182.
- 183.
- 184. YES NO
- 185.
- 186.
- 187.
- 188.
- 189.
- 190.
- 191.
- 192. YES NO
- 193.
- 194.
- 195. YES NO
- 196.
- 197. YES NO
- 198.
- 199. YES NO
- 200.
- 201. YES NO
- 202.
- 203. YES NO
- 204.
- 205. YES NO
- 206.

Are you aware of any past or present issues or problems with any of the following on the Property? (Check all that apply):
 Soil settlement/expansion Drainage/grade Erosion Fissures Dampness/moisture Other _____
 Explain: _____

Are you aware of any past or present issues or problems in close proximity to the Property related to any of the following? (Check all that apply):
 Soil settlement/expansion Drainage/grade Erosion Fissures Other _____
 Explain: _____

NOTICE TO BUYER: THE ARIZONA DEPARTMENT OF REAL ESTATE PROVIDES EARTH FISSURE MAPS TO ANY MEMBER OF THE PUBLIC IN PRINTED OR ELECTRONIC FORMAT UPON REQUEST AND ON ITS WEB SITE AT www.azre.gov.

Are you aware if the Property is subject to any present or proposed effects of any of the following? (Check all that apply):
 Airport noise Traffic noise Rail line noise Neighborhood noise Landfill Toxic waste disposal
 Odors Nuisances Sand/gravel operations Other _____
 Explain: _____

Are you aware if the Property is located in the vicinity of an airport (military, public, or private)?
 Explain: _____

NOTICE TO SELLER AND BUYER: PURSUANT TO ARIZONA LAW A SELLER SHALL PROVIDE A WRITTEN DISCLOSURE TO THE BUYER IF THE PROPERTY IS LOCATED IN TERRITORY IN THE VICINITY OF A MILITARY AIRPORT OR ANCILLARY MILITARY FACILITY AS DELINEATED ON A MAP PREPARED BY THE STATE LAND DEPARTMENT. THE DEPARTMENT OF REAL ESTATE ALSO IS OBLIGATED TO RECORD A DOCUMENT AT THE COUNTY RECORDER'S OFFICE DISCLOSING IF THE PROPERTY IS UNDER RESTRICTED AIR SPACE AND TO MAINTAIN THE STATE LAND DEPARTMENT MILITARY AIRPORT MAP ON ITS WEBSITE AT www.azre.gov.

Are you aware of the presence of any of the following on the Property, past or present? (Check all that apply):
 Asbestos Radon gas Lead-based paint Pesticides Underground storage tanks Fuel/chemical storage
 Explain: _____

Are you aware if the Property is located within any of the following? (Check all that apply):
 Superfund/ WQARF/ CERCLA Wetlands area

Are you aware of any open mine shafts/tunnels or abandoned wells on the Property?
 If yes, describe location: _____

Are you aware if any portion of the Property is in a flood plain/way? Explain: _____

Are you aware of any portion of the Property ever having been flooded? Explain: _____

Are you aware of any water damage or water leaks of any kind on the Property? Explain: _____

Are you aware of any past or present mold growth on the Property? If yes, explain: _____

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SEWER/WASTEWATER TREATMENT

207. YES NO
 208. Is the entire Property connected to a sewer? Explain: _____
 If yes, has a professional verified the sewer connection? If yes, how and when: _____
 209. **NOTICE TO BUYER: CONTACT A PROFESSIONAL TO CONDUCT A SEWER VERIFICATION TEST.**
 210. Type of sewer: Public Private Planned and approved sewer system, but not connected
 211. Name of Provider Black Mt. Sewer Co.
 212. Are you aware of any past or present problems with the sewer? Explain: _____
 213. Is the Property served by an On-Site Wastewater Treatment Facility? (If no, skip to line 226.)
 214. If yes, the Facility is: Conventional septic system Alternative system; type: _____
 215. YES NO If the Facility is an alternative system, is it currently being serviced under a maintenance contract?
 216. If yes, name of contractor: _____ Phone #: _____
 217. Approximate year Facility installed: _____ (Attach copy of permit if available.)
 218. Are you aware of any repairs or alterations made to this Facility since original installation?
 219. Explain: _____
 220. _____
 221. Approximate date of last Facility inspection and/or pumping of septic tank: _____
 222. Are you aware of any past or present problems with the Facility? Explain: _____
 223. _____
 224. **NOTICE TO SELLER AND BUYER: THE ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY REQUIRES A**
 225. **PRE-TRANSFER INSPECTION OF ON-SITE WASTEWATER TREATMENT FACILITIES ON RE-SALE PROPERTIES.**

OTHER CONDITIONS AND FACTORS

226. What other material (important) information are you aware of concerning the Property that might affect the buyer's decision-making
 227. process, the value of the Property, or its use? Explain: none
 228. _____
 229. _____

ADDITIONAL EXPLANATIONS

230. _____
 231. _____
 232. _____

233. **SELLER CERTIFICATION:** Seller certifies that the information contained herein is true and complete to the best of Seller's
 234. knowledge as of the date signed. Seller agrees that any changes in the information contained herein will be disclosed in writing by
 235. Seller to Buyer prior to Close of Escrow, including any information that may be revealed by subsequent inspections.
 236. Andrew W. Allen 10/20/2009 Patricia M. Allen 10/20/2009
 SELLER Andrew W. Allen MOD/AYR SELLER Patricia (Patsy) M. Allen MOD/AYR

237. Reviewed and updated: Initials: _____
 SELLER / MOD/AYR

238. **BUYER'S ACKNOWLEDGEMENT:** Buyer acknowledges that the information contained herein is based only on the Seller's actual
 239. knowledge and is not a warranty of any kind. Buyer acknowledges Buyer's obligation to investigate any material (important) facts in
 240. regard to the Property. Buyer is encouraged to obtain Property inspections by professional independent third parties and to
 241. consider obtaining a home warranty protection plan.

242. **NOTICE:** Buyer acknowledges that by law, Sellers, Lessors and Brokers are not obligated to disclose that the Property is or has been: (1) the site of a
 243. natural death, suicide, homicide, or any other crime classified as a felony; (2) owned or occupied by a person exposed to HIV, diagnosed as having
 244. AIDS or any other disease not known to be transmitted through common occupancy of real estate; or (3) located in the vicinity of a sex offender.
 245. By signing below, Buyer acknowledges receipt only of this SPDS. If Buyer reasonably disapproves of any items provided herein, Buyer
 246. shall deliver to Seller written notice of the items disapproved as provided in the Contract.

247. _____ MOD/AYR BUYER MOD/AYR
 BUYER MOD/AYR BUYER MOD/AYR
 Initials: _____
 BUYER BUYER

